

Protestant Loyalty

FAIRLY DRAWN,

IN AN

ANSWER

TO

A Pair of Scandalous and Popish

PAMPHLETS.

The First Intituled,

A DIALOGUE at OXFORD

BETWEEN

TUTOR and PUPIL, &c.

The Other Intituled,

AN IMPARTIAL ACCOUNT of the Nature and Tendency of the late *Addresses.*

Jesuits. and the Jesuited Immortal Enemies to Protestant
MONARCHS.

LONDON, Printed for *Walter Kenilby*, at the
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Protestant Loyalty

FAIRLY DRAWN

IN AN

ANSWER

TO

PAMPHLETS

A DIALOGUE at OXFORD

BETWEEN

Tutor and Pupil, &c.

AND THE STATE OF THE CHURCH
AND THE UNIVERSITY OF OXFORD

IN THE YEAR 1711

Printed by J. Sturges, at the
Sign of the Anchor, in St. Pauls Church-yard

THE PREFACE

~~There is no doubt but that the King and his Ministers to the Court and House of Commons have been informed of the dangerous and pernicious nature of the~~

THE PREFACE

Amongst the Numerous Pamphlets which lately infest this CITY and KINGDOM, there are none so Pernicious, and withall so tickling the Humours of the Deluded Vulgar, as those which spit Venome upon His Sacred MAJESTY, and Poysen His Subjects in their Allegiance and Loyalty.

Non can a Queen-Elizabeth Protestant coolly Survey the Writings of our Modern Pamphleteers, but He must justly conclude, that the Jesuits and some sort of Protestants are of a Clubb.

It was the Good Fortune of the KING's Evidence to Discover one particular Thing, which the better part of Protestants believe Infallibly True, and against which no Papist can except: And that is this, That the Romish Emissaries, and their Adherents

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were to use all possible Arts, which might render Our Government deformed and loathsome, and expose the KING and his Ministers to the Censures and Hatred of the People.

Now according to the best Intelligence we have of the late Horrid Popish Plot; We find it consisted of these Two Principal Parts: The First was the Murder of Our most Gracious Sovereign. The Second was the Total Subversion of our Government.

Now because the Jesuits and the Jesuited are defeated in the first Design, to the Unspeakable Joy of all Loyal and Loyal Protestants: therefore their main Artifice and Practice is now to Clip the Wings of the KING's Prerogative, blemish his Reputation, and to Alienate the Peoples Hearts and Affections from Him. And all this is done, to blow us up into a Second unnatural War, that so another King may fall in a Mock way of Justice to the Scandal of Protestantism, and the sport of Popery.

And how far the Jesuit hath proceeded in composing a Second Part of a Royal Tragedy is obvious to every considering and Impartial Person. For in Order to take away the KING's Honour and Credit, and to introduce another Model of Government, We have the Coffee-House Tables continually spread with the noisome Excrements of diseased
and

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and Lascivious Scriblers, and the Principles of Jesuits and their Adherents (Common-wealths Men) exposed to Sale by Bowling Vagrants, and the Popishly affected Scoundrels. *AND WE*

For the True Protestant Mercuries, Vox Populi's, Plato Redivivus's, and many others are of such a Venomous quality, that a Man can hardly touch them, but they secretly infuse Poyson into him at his Fingers ends.

And you may easily know when any one hath received the Contagion. He presently Fumes and Raves against the King, Court and evil Councillors, condemns Monarchy for the worst and foolish sort of Government; and will not be perswaded, that this Kingdom can be happy, till it's turned into a Common-wealth, or at least till we have made our Kings Elective.

Now then Consider, If the Second Part of the Popish Plot was to Alter and Subvert the Government, and Men who call themselves True Protestants, are now endeavouring the like: Pray, what can hinder me from believing, but that the Papists have either Assumed the Shape of the Protestant Fanatick Republicans, or that these of a sudden are turned Papists! And indeed it's not a farthing matter by what Religious Marks, Titles or Names, Persons call themselves by, if they are designedly or actually Enemies to his Majesty, and the Established Government. For notwithstanding all Pleas & Pretences to true Protestantism, such Persons are down-right Papists in this Particular, say they are of the worst sort of Papists, the Jesuits. *And*

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And possibly I may not be much surpris'd if I think that the
Republican Champion (Plato Redivivus) sucks his Ma-
lice and Hatred against Monarchy, in the Courts of Venice,
Florence, and City of Rome. (AND WE KNOW
WHAT RELIGION IS IN THOSE PLACES)
But whether he is in Roman Orders or not, whether of
any Religion or none, Time and himself, Temple-Barre
S. and Sommerfet-House: Will discover to the
World: And you may not wonder if I have not been

Upon the foregoing Reason therefore I have called the
Pair of Pamphlets (in which this Book gives Answer)
Scandalous & Popish: And if the Author of those Pam-
phlets happen to be offended at this Character; Let them
purge themselves by Law, and take the Legal Oaths and
Tests: Which when they have done, they must then for-
bear scribbling after their wonted Rate, or else they will ap-
pear perjured, unless assisted with a Romish Indulgence
and Absolution: In which case I will not be surpris'd

If any one can Speak and Write, and Act disloyally a-
gainst his KING, and the Established Government,
after he hath taken all the Legal Oaths and Tests: That
Man is a plain down-right Knave, undeniably forsworn;
and which is worse, a rank Jesuit at his Heart;

~~And which is worse, a rank Jesuit at his Heart;~~

Page 3. Line 19. read sometimes. p. 4. Line 1. for but on the contrary. r. And
indeed. p. 7. l. 29. for it r. then. p. 8. l. 1. between danger and we, insert
But. p. 35. l. 11. blot out and a little after in the same line, color and long-
guts. p. 38. l. 18. insert of between deposition and reward. The other faults and
mistakes of lesser moment, which you, the candid Reader, will please to Correct
with his Pen.

A Full and Clear

ANSWER

TO A

SCANDALOUS PAMPHLET

INTITLED,

A DIALOGUE at OXFORD, &c.

SIR,

I Very well remember that when you pressed me the last time I had the honour to see you, to make a Reply to this Scandalous and Pernicious Libel, that I made such an Answer, as the consideration of my great unfitness for an employment of this nature, might suggest unto me ; though I must ingenuously own to you that I ever had so mean an opinion of the impotent Malice of this Scurrilous Pamphlet, that to examine it without an Apology for undertaking so easie a Task, would amongst the Judicious be a reflection upon a Man's prudence and discretion ; and truly I never had the vanity to think my self master of so great a stock of either, as to embolden me to run the risque of losing any part of that I am sure I had nothing to spare : But

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seeing

seeing you are pleas'd in Yours of the 6th. instant, to make use of all the power Your friendship and those many excellent and noble Qualities wherewith you are adorned have given you over me; I had rather hazard the exposing my self to the censure of the World for my weakness (of which no man is more sensible than my self) than give You the least reason to accuse me of disobedience to your commands: especially since you have represented to me, that though there be nothing to be found in this Pamphlet that may in the least make a wise or considering Man stagger either in his Principles or his Practice of Loyalty and Obedience; yet seeing that incomparably the greatest part of the World is composed of such People as are either incapable or impatient of thinking and penetrating into the depth of things, but at best content themselves with a slight view and superficial examination of the out-sides and bare appearances of them, a Reply would be necessary to undeceive those ignorant persons that have suffered themselves to be imposed upon by the prodigious confidence and inveterate malice of this Libeller: for 'tis our misfortune to live in an Age where in the enemies of the Government being sensible, that if they did not transgress the bounds of truth, reason and modesty, it were impossible to render it odious, or fix the least disrepute upon it, are resolved notwithstanding to imitate the *Father of Lies*, whose employment it is *fallly to accuse the brethren*, and with impudence equal to their malice make it their business to pick up all the false and scandalous Reflections and ignominious accusations that flie about the Town, and such as the Devil himself would be ashamed to own himself the Author of; and having digested them into a scandalous Pamphlet, to vomit them at once upon the Govern.

Government without the least respect to that Duty which becomes a good Subject, or the Sobriety and Modesty which adorns a Christian; that by such venomous Libels the People may be poison'd in their Allegiance, and infected with such Principles as may in a small time, if no remedy be administered, put them into such violent Convulsions, as may not only disturb the quiet and repose of the Government, but even wholly overturn it.

But in the midst of these misfortunes, 'tis no small comfort, that the people have been so long and so much accustomed to the noise of this *Railing Rhetoric*, that 'tis to be hoped, that they will now be no more troubled at it, than were the *Catadupi* at the Roarings of the River *Nilus*; and that it will have as little effect upon them, and create them as little concern, as it did *Socrates* to see himself derided and exposed to Scorn on the publick Theatre.

But to come closer to the point; If we seriously consider the Nature of this Pamphlet, we shall find it stuff'd with as much Falshood, Malice and Scurrility, as any of the spurious issue the Teeming Press has lately Spawn'd: and though it be clothed for the most part in a more pleasant stile than ordinary, the better to convey the Venom of it into the credulous and unthinking multitude, yet the Author of it seems to be inspired with so much Spight, and to labour under so violent prejudice, that he may justly be suspected to have the same design with those, that diet their Cocks sometime with Garlick before they fight, that they may rather overcome their Adversaries by the stink of their breath, than by the sharpness of their Spurs, or the strength of their blows.

And that he may act the Poisoner with the more dexterity, he has made choice of the way of Dialogue, which sort of Writing is by far the worst of any, if it be not kept within due bounds; for then, of which we have here a very pregnant example, the supposed persons that manage the Dialogue are generally so kind to one another as to Club like Brethren in Iniquity, to betray the unwary Readers into a belief of their false doctrine: for the one makes such faint Objections, and then gives up the cause so easily, that the good natur'd Ignorant Reader thinks himself bound to subscribe in good manners and complaisance, to those Opinions, so readily agreed to by one of the Antagonists: or at the best the one does but build Aiery and notional Castles on purpose that the other may have the honour of overturning them. And certainly there was never a more foolish Knave in the world than he has made his *Oxford* Tutor; never was a Character managed with less address and probability: but on the contrary 'tis so unlikely, that that alone is sufficient to give a disrepute to the whole design of the Pamphlet. For can any one be so senseless as believe a man that had so much cunning as comply with a prevailing opinion for the sake of his Interest, would at the same time be guilty of so gross a piece of folly, as to acknowledge his Knavery at the first dash. But this is only a touch of his kindness for the Clergy, thereby to render them Odious and Ridiculous to the people, for maintaining that Doctrine in publick by their Writings and Discourses, which their Consciences at the same time gave the Lye to: but it is too gross a falsity to be swallowed even by the men of his own party; and I dare appeal to the Author of it himself, whether there be any truth in so groundless an aspersions; and thus much for this *Dialogue, &c.* in particular.

But

But there is another thing which not only influences this Pamphlet, but all others of the same stamp; and which I am bold to say, has given the greatest cause of Divisions amongst us of any one thing whatever. It is well known that there is a Restless party of men amongst us, who to put the best Varnish they can upon their Designs, are forc'd to propose to themselves such a Scheme of Government as may suit with their Intentions, and give the best colours to their Actions; since therefore they are resolved to lessen the King as much as they can, and if possible, ravish from him his Prerogative to that degree, as to reduce Him (to say no more) to the condition of a Duke of *Venice*. In order then to this design, they know very well how unlikely it were to draw in the people, unless they first infuse into their heads a belief that all Government owes its Original to their Choice, that all Laws are the effects of Pacts and Contracts; and whatever particular thing there may be which is for their purpose, must presently be referr'd to the Original Fundamental Contract of the Nation, of which you shall hear them talk as confidently as if they had seen an Authentick Copy of it; or at least, cry they, it is highly rational and very consonant to the true cause and ground of Government: When God knows, what they call reason, and the true ground of entring into Society, is nothing in the world but their Notion and Chimara of it, which they have excogitated on purpose to carry on their Designs with the more plausibility, without ever consulting the History of all Nations, or particularly their own, and the best Evidences of the Practice of former times, I mean the Records: or if by chance they do, it is but to strain the meaning of them, and misapply it to their Notions, which

which never had any existence but in their Nodles that invented them; and then they do but pick here and there a Phrase or a Sentence, that is capable of being disingenuously applied to a quite different end from what at first it was designed. But if on the contrary, any man shall impartially examine those Opinions which to the great disturbance of the Christian world, were first broached by the Jesuits, and have been since cherished and improved by men, who pretend, if we may believe them, to a different perswasion in Religion: I say, if those Opinions were impartially examined by the only Touch-stones of such matters, the Holy Scripture and the particular History of every Country, I doubt not but it would clearly appear, how groundless and irrational they are; nay, I have the Charity to believe, that one that has been imposed upon himself, and has contributed to the deception of others, would yet upon the sight of such undeniable evidence own himself convinc'd of those errors, Passion, Interest, and a too secure reliance on the Authority of some great and leading men had betrayed him into; and would be ashamed to have it said he only continued obstinate in an Opinion, because he lay under some Temptations of wishing it were so; which I am afraid is the case of too many, who like common Debauchees set up for Atheism, because 'tis contrary to their Interest that there should be any such thing as a Deity.

BUT to insist no longer upon these general Considerations, it is time to come to a particular examination of the Pamphlet it self, in the very begining whereof we shall find him introducing his *Oxford* Tutor with a false insinuation (as an earnest of the ingenuity we are to expect from him) that all those who are zealous for the

the King's Prerogative, and the Government in Church and State, are really enemies to the common good of the People; a scandal, the Author himself, if he durst appear bare-faced, would be ashamed to own: for though they are perswaded that the chief business of the People, is *to mind their own vocations, obey their Superiors, pay their Tithes and their Taxes chearfully, and if occasion be, fight for the Glory and Honour of their Prince and the Church*; yet no Men are more really solicitous of their welfare than they. Nor is this so *unconscionable a Reckoning*, but that it would in a short time produce Peace, Plenty and Happiness to the People, if there were not an industrious and restless Party of Men, who make it their business to infuse such Principles and Notions into their heads, as make them incapable of enjoying the effects of so blessed a condition. For what is more pernicious and mischievous to their quiet and repose than to endeavour to perswade 'em, that they have as just pretensions to one part of the Legislative Power, as the King has to another; and that their Prince is but a Creature of their own creation, a Trustee that derives his whole power from their consent? If this Opinion should once prevail, what would the consequence of it be, but confusion, ruine and slavery? And though no greater share should be allow'd them as to their business in the Government, it does not follow from thence, that the King's Power is so boundless and uncontrollable, that at any time it should be able to break in upon the Liberty and Property of the Subject, like an inundation, and quite overwhelm it; for thanks to the Grace and Bounty of our Princes, we are Governed by such Laws, as are of sufficient strength to resist any such encounter; they are such impregnable Rampires and Bulwarks of our Liberties, that we need not have the least apprehension.

hension of any danger, we may safely rely upon them for sufficient security: Besides, 'tis highly improbable that there should be any one found, that should pretend to be *so much for the King, that he were not at all for the People*, since their two Interests are so much the same, and so twisted one with the other, that they cannot be separated without endangering the ruine of them both: But I believe no Man can be so devoid of Judgment, as not perceive that this insinuation of his was only to bring an odium and disrepute upon those, whose sincere love to their Country, and their immoveable Loyalty to their Prince have rendred obnoxious to his ill will and malice.

I am sure no Man that will but consider the vast disagreement and difference there ever has been between the practices and the pretences of those Men, who have of late appear'd so concern'd (as they would have us believe) for the Good of the People, who have so zealously endeavour'd to gain the repute of the only Patrons of their Liberty, and the Defenders of their Religion, will be easily convinced, that they have made use of those kind of colours; because Liberty and Religion make a very pleasing noise, they being the only two words in the World which are capable of producing real effects by their meer sound: for varnishing over their black designs with such specious and plausible pretences, they doubted not so far to make themselves masters of the poor unthinking and deluded multitude, as even by their own assistance to deprive them of that Liberty they thought they had been all the while contending for, till at last by woful experience they should find themselves made use of only as stalking-Horses to serve the ambitious designs of a few desperate and disaffected Demagogues, and the unpitied Instruments

struments of their own ruine and slavery; for how angry soever in publick they may seem to be, yet every man that will not shut his eyes against truth, must needs confess that 'tis not Arbitrary power it self they abhor, but their only quarrel is because they themselves cannot make use of it: and therefore under the notion of rescuing others from so great a Tyranny, they seek a fair opportunity of fixing such a boundless and unlimited Authority as they seem so much possess'd with the fear and hatred of, in their own persons.

Whilst on the contrary, the only business of those honest and worthy Patriots, they have conceived so violent and unjust a prejudice against, is to preserve the Established Government in that very condition the Law has put it, and not to stretch one part of it, so far beyond the bounds the Wisdom of our Ancestors has set it, as thereby to endanger the breaking in pieces of the whole frame: as they are careful of not suffering the pretended Liberty of the People to diminish the Just Prerogative of the King, of which it is so much the Interest of every man to be jealous of the least Infringement; so are they on the other hand, as nicely solicitous, lest the Prerogative might swell to such a height as might endanger the Liberty and Property of the Subject, which 'tis the most unquestionable Interest and Duty of every Prince to preserve inviolable, who had rather enjoy the glorious Title of the Father of his Country, than be transmitted to Posterity under the odious Character of the Betrayer and Enslaver of it. So that upon the whole matter, I dare venture to submit it to every mans Judgment, that is but a master of common sense, who are the greatest enemies to the true Interest of the People, and who are the most sincere promoters of their common Good;

and I doubt not but every mans eyes are so far open'd, that it would be a needless labour, to go about at this time a-day, to shew, that those that make the greatest pretensions to sincerity and affection, have too often the least share of either.

For indeed, if this Opinion which seems to lift the People so much above themselves, by investing them with an Original freedom, and by consequence, making all Government, at least, as to the Specification of it, (as they learnedly distinguish) a generous effect of their Donation, I say, if this Opinion be but impartially examined, it will be found to have been calculated to serve either as a step to the projected greatness of the Papal Chair, or to gratifie the ambition of designing Demagogues; for if the Original be inquired after, it will be found to have been hatched in the Schools (the common Armory, from whence not only the Jesuits, but their brethren the Fanaticks have taken the reasons wherewith they have assaulted Monarchy) and I am sure, no man can be ignorant how much it has been improved, and propagated by those Firebrands and Incendiaries of the Christian world, the Disciples of *Loyola*; nor what a kind reception it has met with, and how mightily it has been hug'd, and cherished, among another party of men, who though they seem to have an utter aversion to the name of *Jesuitism*, yet have the greatest affection in the world to the thing. A Doctrine certainly this is, that ought to be the *Shibboleth*, and mark of Distinction between those that are fit to be countenanced in a Government, and those upon which there is a necessity of keeping a strict eye. For I am sure if any man that loves peace, quietness, and liberty, or that is not enamoured of Civil War and Rebellion, and the dreadful consequences

quences thereof, Devastation and Slavery, do but seriously reflect upon the calamitous effects this pernicious Opinion has produced, how many countreys have been depopulated, how many flourishing Cities laid level with the ground, and how many rivers of blood have been set a flowing, and all by a wretched and miserable Party of Men, that have been deluded and seduced by it, cheated into Rebellion, and out of their Freedom and Liberty; how all the Doctrine of killing and deposing Princes has been grounded upon this damnable Principle: I say any Man that will but reflect upon all this, must of necessity entertain not only an irreconcilable aversion to this flagitious Notion, but a suspicion and jealousy of those Persons that have espoused it, by what Name soever they are pleased to distinguish themselves: for 'tis not to be doubted, but that upon the first opportunity that offer'd it self, they would be found ready to reduce their Sentiments into practice.

But to proceed with our Author, (p.2.) I do not at all doubt, but his Oxford Tutor was in the right, and might have justified himself very easily, when he affirm'd, that *suppose there were no Common or Statute Laws, yet Government ought to be submitted to; as it is the Ordinance of God and of Divine Right, and consequently that obedience to our Governours is due from us, on pain of Damnation, without the help of an Act of Parliament.* Nor will it serve our Pamphleteers turn, to tell us, He will allow that Government in general is the Ordinance of God, and of Divine Right; for either he must grant some particular Form to be so too, and then he gives up the question; or he would do well to oblige the World with a sight of those Reasons, (if he have any) that induced him to believe a thing so apparently ridi-

culous, as his avow'd Notion is : for can any thing in the World be more senseless, than to think there can be an institution of any thing in General, and yet no particular Species thereof be in Being, unless a Genus may be said to exist, notwithstanding not one of the different kinds whereof it is composed, are in *Rerum Naturâ* ?

And indeed to suppose that God Almighty should leave Men without any Government at all, or which is all one, the choice of a particular Form to themselves, is the greatest Reflection upon his Providence that possible can be: for since it is a certain and infallible Maxim in the Schools, in Nature and in Scripture, that *Qui dat, esse, dat & conservare* ; 'tis as certain and evident, if God did not institute some Form of Government, even upon the immediate Creation of Mankind, that he must have so far been a wanting to 'em in order to their conservation, by exposing 'em to all the wants and miseries, rapines and disorders, that are the inseparable companions of a community and natural Freedom, to the notion whereof some Men pretend so great a fondness ; for certainly it must be very inconformable to the wisdom and goodness of God to make Man, the little world, the Abridgment of the Perfections of all other Creatures, nay even the Image of Himself, except at the time of his Creation, He provided by his Wisdom, Power and Goodness, how he should be continued and preserved in Being and Happiness, which without order and actual Government is neither imaginable nor really possible. And when it is said, that all the Creatures were *very good*, Gen. 1. 31. and that all were *perfected*, Gen. 2. 1. It is assuredly imported by those expressions, not only that all things in the bounty of God, were created in their Specifick and Individual Natures good in themselves ; but also that by the Decree and Ordinance

Ordinance of God, they were establiſhed ſo as to continue and be preſerved thus, which beyond contradiction 'twas impoſſible to be, without Order and Government, as ſenſe, reaſon, and common experience do evidence.

And beſides, I think I might venture without the leaſt imputation of vanity, to challenge this Gentleman or any other of his Party, to ſhow me whenever, or in what part of the World, there was any number of People, that were abſolutely exempt from any Government; I believe I might boldly ſay, there is no ſuch thing left upon Record in Hiſtory; and if not, as, for ought appears to the contrary, I may very juſtly conclude, I would know what reaſon any body ſhould have to build a foundation upon ſo weak a ſuppoſition, ſuch a fantaſtical Chimæra, for which there is not the leaſt ground; I muſt for my own part own to you that I am ſurprized at the confidence of thoſe People, who are ſo far from maintaining it with the temper and moderation, becoming an opinion that is not able to carry its own Evidence and Demonſtration along with it, that it is aſſerted with all the heat and paſſion belonging to a Deſign: Eſpecially when I conſider what aſſurance we have to the contrary founded upon no leſs Authority than the Holy Scripture, from whence we learn that we are all ſprung from the Loins of one Man *Adam*, in whoſe Perſon we find the Power and Authority for Government (as appears from *Gen. 1. 28.*) fixed, before the Woman was made of him and for Him, and before he had any Child or Subject to govern; which Power is declared to be tranſmiſſible to his Poſterity, *Gen. 4.* where it is ſaid, *Sub te erit appetitus ejus, & tu dominaberis ei*: To thee ſhall be his deſire, and he ſhall rule over thee; and from hence I might take an opportunity to ſhow how all Govern-
ment.

rendred supreme, are joyn'd together, and said to be all one ἐξουσία, i. e. the exempt absolute and independent principles, viz. the Gods, or in his style the ἀπερὶ ὅρα, to whom worship is due, and such are Kings in their Dominions: but to go on with excellent Grotius — ἡ γὰρ ἐξουσία ἐστὶν ἀπὸ Θεοῦ, ἀπὸ Θεοῦ ἐξουσία ὅτι Θεοῦ ἐξουσία ἐστὶν, quod sic intelligi vult Apostolus quasi nullum imperium nunc contingeret, nisi Deo Auctoritatem ei dante suam, sicut Rex dat Praesidibus; quod ut rectius intelligatur ait, omnia imperia quae sunt, i. e. quamdiu manent ac durant, à Deo constatur, i. e. à Deo auctoritatem suam accipere, non minus quam si Reges illi per Prophetas uncti essent, ut quidam Syria Reges. — **FOR THERE IS NO POWER BUT OF GOD, AND THE POWERS THAT BE, ARE ORDAINED OF GOD,** which the Apostle would have us so understand, as if there should happen no Empire, but what deriv'd its Authority immediately from God, as an inferiour Magistrate doth his Power from his Prince; and that this sense of it might be less liable to be mistaken, he adds, **ALL THE POWERS THAT BE,** that is, as long as they remain and continue **ARE ORDAINED OF GOD;** that is, receive their Authority from him, no less than if those Princes had been anointed by a Prophet, as were some of the Kings of Syria. And thus far Grotius.

And though some people, of which our Pamphleteer is one, do endeavour to evade this Text, by saying, that here the Power only distinct from the Person of the Magistrate is meant, yet I doubt not but it will appear evidently otherwise, to any one that shall consider, that the import of the word ἐξουσία, which is rendred Power, is sufficiently explained by the ὡς ἀπὸ Θεοῦ, for the Rulers; since the ὡς for being a causal particle.

particle applies the speech to that which had gone before, and so expresses the *ἐξουίαι* Powers in *v. 1.* to be *Ἀρχόντες, Rulers, v. 3.* nor indeed can the Power abstracted from the person of the Magistrate be able to do what is here said of *ἐξουία, viz.* commend or encourage, *v. 3.* avenge or punish, *v. 4.* besides to put the matter out of doubt, 'tis said, *v. 3.* *Ὁὐ ὃ δυνάσται ἐστὶ σοί, for he* (that must needs be the person of the Magistrate) *is a Minister to thee for good;* nor is it less clear that the Person of the Supreme Governour is meant from the same *v. 3.* where *φοβήσθαι ἐξουίαν, being afraid of the Power,* is all one with *Ἀρχόντες αἰσὶ φόβῳ, the Rulers are a fear or terror,* in the beginning of the verse: And in this very sense *ἐξουίαι* & *Ἀρχαὶ* are used, *Luke 12. 11.* when the Disciples are said to be brought before *Principalities and Powers,* that is without question, Princes and Men in Authority.

Nor has my Antagonist less success or truth in the explication of St. Peter's *Ἀνθρωπίνῃ Κτίσει*, which according to the most usual and received sense in other Analogous places of Scripture, ought to be rendred *Humane Creature*, thereby meaning any part of mankind: not *Ordinance of man* (as it is in our Translation) thereby signifying a thing of mans creating, for then, the Phrase to express it would have been *κτίσμα ἀνθρώπου*: So that when S. Peter says, *1 Ep. 2. 13. Be subject πᾶσι ἀνθρωπίνῃ κτίσει, to every humane creature,* his meaning was, that whoever professed Christianity, lay under an obligation to submit himself, and be obedient to *every man* (though a Heathen) *whether it were to the King as Supreme, &c.* by which enumeration of the particular persons to whom Subjection is due, *viz.* The King and his Ministers, he restrained the Precept within its due bounds, beyond

which

which at first it might have seem'd to be extended, as if an indefinite obedience were enjoyn'd to every one whatever: And that this is the true meaning of the Text, is allow'd by Beza, when he tells us, speaking of the Phrase, *προν ανθρωπων ελλοις*, *Pro humano omni genere accipitur, sive pro gentibus omnibus, ut loquuntur Matthaus & Lucas.* *Vid Theod. Beza, in loc. citat.*

I am not ignorant that there is another Interpretation, which this Text will bear, without either putting a force upon the words, or in all likelihood the truth either, which is, that the word *ανθρωπων* may be rendered *temporal*, so that the sense and translation may run thus; *Submit your selves to every temporal Creature for the Lord's sake, whether it be to the King as Supreme, &c.* As if he should have said, though there be some among you, that abuse that Christian Liberty to which you are attain'd by the Preaching of the Gospel, by pretending upon that score an exemption from the commands of those Magistrates under whom you live, whereby you bring a scandal upon the humble and peaceable Doctrine of Christianity; yet know that this will not serve as an excuse for you: but on the contrary that you are obliged to a dutiful submission, and that for the *Lord's sake* too, to all Temporal Magistrates, whose Subjects you shall happen to be, as well as your Spiritual Guides. And indeed whoever considers the Doctrine of the *Gnosticks*, against whom this Text in a particular manner seems to be levelled, will not only think that this sense of it is highly rational and probable; but that this Precept of the Apostles at that time was very necessary, when the Seditious and Undutiful practices of some that would be accounted the only true and zealous Christians, had begun to bring a great scandal and disrepute upon the whole Christian Religion.

But whatever interpretation (as one of these two most necessarily must) be allowed, there will be nothing found that can make in the least measure for my Adversarie's opinion; but on the contrary, very much against his notion: for it is evident that from hence can be drawn no Argument to prove that though the Power be from God, yet *the specification of it to this or that Form, is from the Societies of Mankind*, (as he p. 3. calls it) but rather that both Power and Specification belong to God, and to Him alone.

So that upon the whole matter, it doth not at all appear, that the *Jus Divinum* of Monarchy, is a-whit the further off from our assistance, upon occasion, than it was before; for thanks to this Gentleman's gentle attacks, instead of removing it from its Post, He has rather riveted it faster than it was before, so that it is now in a much better condition to contemn and despise his ruder assaults, he may think fit hereafter to make against it: but yet I must confess, that bare naked *Jus Divinum*, without the assistance of Temporal Laws and Penalties, would not appear so very frightful, but People now and then would make bold to contemn and break through it, not because they took it for a Dream or a Chimara; but because they would perswade themselves they might walk a great way, before the punishment for being guilty of so great a Crime could overtake them. For 'tis too Natural for a great many Men not to have any dread of those Penalties that are to be inflicted upon them in the next World; for since they imagine them to be at so great a distance, they are as little concern'd, as if there were no such thing: and upon this ground it is that it has been found necessary for the preservation of the Peace and repose of Mankind, and for the Security of their Lives, Liberties and

Estates,

Estates, to pray in aid of the Temporal sword, to the correction of even those crimes that are in the Holy Writ branded with the blackest and most dreadful characters, and against the practisers whereof the most dreadful judgments are denounced. So that a man may as well deny the Christian Religion to be instituted by God, or what is all one, to be *Jure Divino*, because men are forc'd by Humane Laws to the practice of it; as argue from the necessity of strengthening Monarchy, by the particular Laws and Customs of that Country where it is established, that therefore it owes its original to the consent of the people, and not Divine Institution.

And surely if our *Oxford* Tutor had had sense to consider this, he would never at one breath have own'd himself both a Knave and a Fool, by telling his *good Pupil*, under the Rose, that he had not much concern'd himself for what was Rational, but what he thought most for his Interest and Convenience; by which Concession, he would (as I have before hinted) disingenuously insinuate, that all those Worthy and Reverend Persons, who look upon Monarchy to be *Jure Divino*, do entertain that opinion, upon no other ground than it seems induced his hopeful Tutor to embrace it.

But to the honesty of such dealing (to use his own words) I shall say nothing, but only leave it to you, Sir, to judge, whether after so foul and groundless an Aspersion, he can ever pretend to the least grain of modesty and ingenuity; and then take the Liberty to tell him, he may lay aside all the apprehensions he may labour under of the dangerous consequences that might result from the Opinion of the *Jus Divinum* of Monarchy, if it should once prevail in the world, as to

the necessity of inferring from thence, that Obedience would be due even to an Usurper, as well as a Lawful Prince, whenever he had the power in his hands: for under favour, in this matter he has reckoned without his Host, for I cannot for my life conceive how the result from the reception of this Opinion should be so fatal; but on the contrary, it is very evident, there lies a most indispensable obligation upon every Subject to be obedient, aiding, and assisting to his Lawful Sovereign, upon all occasions whatever; even to the laying down of his life, in order to the recovery of his Right, if it be forcibly wrested from him. For as he himself owns, it is not Conquest will give any man Right to the Throne of another Prince he may have dispossest'd him of, for if he had a Lawful Title before, he owes no more to his Sword than the gaining of what was his due; and if he have not, it can give him no new Right, but he is to be reputed an Usurper as long as the Lawful Prince shall live, or any of his Heirs remain: But if through tract of time, or neglect of the People, the knowledge of them be lost, then he that was originally an Usurper, or his Heirs, thereby gain a Right against any body else, by having the possession of the Crown, and by the People is to be taken and esteemed their Lawful and undoubted Sovereign. And as this is the case of the greatest part of the Crowned Heads in *Europe*, (except the King of *Great Britain*, in whose Royal Veins is centred the Bloud of all those Princes that ever yet wielded the Scepter of this Island;) so I make no doubt but as entire an Obedience is due to them, as if they really had been *ab origine*, Lawful and Rightful Princes: But with our Authors leave, if any of the true Heirs were alive, 'tis not the consent of the People,

not

not a bargain betwixt them and the Usurper, to compound the matter amicably, will give him a Right, or dispense with the Obligation they have to Him who has a Legal claim to the Crown. For if so, then *Cromwell*, whose Protectorship was devolved upon him by the pretended consent of the People (which however was as much the consent of the People, as ever was or could be had in such a like case) had a preferable Title to the Government, before his present Majesty, (whom God long preserve) which I am confident, no man in his right senses has Brow enough to own; and this very instance I take to be an evident demonstration of the Truth of Mine, and the Falsity of my Adversaries opinion. For if the King be not allow'd an indefeasible Right to the Crown, He may as justly be depos'd now, as He could be depriv'd of it then; which, no body yet is (nor ever will have reason to induce them to) come to that height of impudence as dare to assert.

But to proceed, I very readily agree with my Adversary, p. 5. *That it seems plain, That the Common good of Humane Societies, is the first and last end of all Government*; and that *Salus Populi, &c.* is a most excellent Maxim (especially when it is not cramped within such narrow bounds as to exclude the safety and welfare of the Prince, under the pretence of making provision for that of the People) and so is that Paternal Power with which every Father is invested, design'd for the common good of his children, and of himself; and yet I hope it will not be deny'd, that this Power is from God and Nature, antecedent to any Humane Laws, or Civil Sanctions, or even the positive revealed Law of God himself: but under correction, I must ingenuously own, I cannot agree with him in the belief of any

any great absurdity there must needs follow from an opinion, that God may have bestow'd the Sovereignty of any Kingdom out of a particular favour and respect to any Person or Family, since we have so many notable instances of it in the Holy Scripture, not only amongst the Kings of *Judah* and the other Ten Tribes : but also of many neighbouring Nations round about them. And if I should say that all the Princes and States of the World, to whom the administration of the Supreme Power is committed, are either such as have their Right derived to 'em by their Lineal descent from *Adam*, once Emperor of the whole Universe, and the Father of us all, who had his Power immediately from God, or else such as have, or do usurp upon them ; I should not say a thing very difficult to be proved : But as for this Gentleman's Opinion, I may venture without the danger of being accounted a Plagiary, to make use of his own words, *p. 6.* to tell him, *I believe he will find few of his mind, and not many that will debase themselves to so mean a flattery,* (for such certainly is his notion of the freedom and power of the People) *as to own so senseless a Position.*

But all these little things, I have yet had occasion to take notice of, are nothing but the vantageuriers to what is behind ; for now he begins no longer to be mealy mouthed, but very fairly ventures to preach Sedition and Rebellion, if he that maintains and endeavours to propagate such Doctrines and Notions, as upon occasion, if they were true, would serve to justify both those things, may be said to do so : for I must needs say that for him, he has not confidence enough, or at least dares not show it, to do it positively and *in terminis*, but however he has made choice of a Method that is tantamount to it, recommending it to the People under a Disguise

Disguise that will do the work as effectually, without running the hazard of startling them at the sight of two such Bugbears, should they appear bare-fac'd and without a Vizard, and without any Disguise to cover the grossness and deformity of 'em.

For indeed he has given us such a very pretty Scheme of the Original of our Government, as may seem calculated on purpose, upon the least commotion, to throw all into Ruine and Confusion, by investing the Sovereignty originally in the People, and insinuating that they have such a Power as would infallibly unhinge the Government, whenever they could be perswaded, affairs were not administr'd according to the direction and intention of I know not what Original and Fundamental Contract; which how easie a thing it is to do, I think the History of former Ages, and the late woful experience of our own will soon convince us. And truly he talks as confidently of this Fundamental Contract, as if there really were such a thing, or that it ow'd its Birth and Original to some other thing, than the crazy imagination of some factious, hot-brain'd Demagogue, like Himself: but since there is not the least ground or foundation for this extravagant Opinion either in Reason or History, I doubt not but it will bring a great prejudice to his Cause amongst all the thinking and considerate part of Mankind, to find that, not being able to support it self upon any other bottom, it is forc'd to flie to falshood and confidence for refuge.

It would be an almost endless task to go about to give a particular Answer to every one of his vain and groundless suppositions, (as he himself is forc'd to own them to be) I shall therefore, which I doubt not but may, Sir, more contribute to your satisfaction and information too, (if you were not a Person whose skill in

History

History and Politicks had set you above it) give you with all becoming freedom and candor, my Sentiments of the Original of Government in general, and how they came to be modell'd into those Forms we now find them, having always a particular regard to that of my own Country, wherein I hope I may affirm with more truth than our Gentleman Pupil has done upon the same occasion ; *That you shall have more than my guess*. And here, before I go any further, I crave leave to tell our Author, in his own words, p. 6. and that with a safer conscience too, than I am afraid he said so before me: *That I cannot choose but own the goodness of Almighty God, in the Architecture of our Government, whereof I do declare my self so great an Admirer, that whatever more than Humane Wisdom had the contrivance of it, whether done at once, or by degrees found out and perfected, I conceive it unparallded for exactness of true Policy in the whole World; such care for the Authority of the Monarch; such provision for the Liberty and Property of the People, and that one may be justly allaid, the other upheld, and yet consist without impeachment of each other, that I wonder how our Fore-fathers, in those esteemed rude and unpolisht times, could ever attain to such an accurate Composure.* And much more do I wonder that their Posterity should be really so much out of Love with it, as endeavour to undermine it, under pretence of laying the Foundation firmer and surer, when 'tis impossible for the wit of Man even to imagine any thing that can be better bottom'd than that Government our Ancestors have bequeathed to us; and if we were but half so solicitous of keeping up the old Constitution, as we are about picking holes in it, and contriving a new one, there would then be found none, or very little employment for those many *State-Tinkers*, we have of late been so pester'd withall; who

who if they had but consider'd that it is the common and unavoidable fate of all things on this side Heaven, to be accompanied with a greater or less share of imperfections, they would for their own credit, and in charity to us, have been more cautious and wary in plaguing us with their unsuccessful Trials of pretended skill in State Craft.

But to return from whence this digression has led me, to the performance of my promise, I doubt not but it will easily be granted me, upon a due search into the Monuments and Records of the First Ages : That after the general Deluge, *Noah* being left sole Lord of the Universe, made before his death a Division of the World amongst his Children, allotting to every one such a share as the largeness of their Families might give them just pretensions to ; the Fathers of such Families according to the dictates of God and Nature being invested with such a jurisdiction & Supremacy, as might consist with the Subordination to his eldest Son *Seth*, of whom after *Noah's* death, his other Brethren and their Issue were to hold, as it were, in Fee, as we are informed by two Historians of no small account, *Ensebius* and *Cedrenus*. Now afterwards in process of time how this mark of Dependence was worn off ; and what alterations by Conquest or otherwise, were made in the particular Governments in relation to extent and enlargement, or the lessening and subjection of one another's Dominions, is foreign to my purpose to consider, it being sufficient to have laid the foundation of all Regiment in Paternity. Waving therefore any disquisition of this nature, which the dark account we have of those early Times can give very little light into ; I shall proceed to take notice of what Power the Princes of those Ages were in actual possession of ; and

if we have recourse to the History of them, we shall find it, for ought that appears to the contrary, to have been absolute and unlimited: Nay, if the accounts we have of all these *Northern Nations*, which are found to be the most averse to slavery, of any People under Heaven, be examined, it must of necessity be granted that even those Countries, where the Royal Power is most abridg'd and limited at present, were antiently Governed by Princes as Arbitrary and Despotical as the Grand *Seignior*. And I doubt not but it will also as evidently appear, that that unbounded Power they once enjoyed, was either lessen'd by their own free Grace and Concession, or else violently by force of Arms; which yet was by far the most uncommon way, because the former way being found even necessary, or at the least, highly Politick and convenient, as being most conducible to the joint interest both of King and People; the Goodness and Wisdom of the Prince generally prompting Him to provide for the Common Good of his Subjects, and the safety of Himself upon his own meer motion, and unforced inclination, took away all pretence and occasion for the latter more hazardous and unjust method; though indeed in the beginning neither of these things were at all needful.

For in the First Age after the Flood, while the judgment of God upon the Old world was fresh in their memories, and the wholsom Precepts of good Old *Noah* were not worn out of their remembrance; Ambition and Covetousness being then but green and newly grown up, the Seeds and effects whereof were as yet but potential and in the bud: There was very little or no need of any punishments, or even Laws; for the Law of Nature supplyed the want of the one, and was the Rule whereby to avoid the deserving of the other,

other, as being that direction by which men in those Golden days lead their lives ; they then sought for no larger Territories than themselves could compass and manure ; they erected no other Magnificent Buildings, than were sufficient to defend them from Cold and Tempest ; they cared for no other delicacy of Fare, or curiosity of Diet than to maintain life ; nor for any other Apparel, than to cover them from the Sun, and protect them from Rain and Cold.

But as Men and Vice began abundantly to increase, and the degrees of Affinity and Consanguinity became every day more remote ; so Obedience (the fruit of Natural Reverence, which unless from excellent Seed seldom ripeneth) being exceedingly overshadowed with Pride and Ill Examples, utterly wither'd and fell away ; and the soft weapons of Paternal persuasions, the only Arms the good Princes then for the most part made use of, and had recourse to, became every where overweak, either to resist the first inclination of evil ; or afterwards, when it became habitual, to restrain it. So that now when the hearts of men were only guided and steered by their own fancies, and tost to and fro upon the Tempestuous Seas of the world, while Wisdom was severed from Power, and Strength from Charity amongst the Common People ; it was found absolutely necessary by Princes to lay aside those gentle Arts and Methods, whereby they had hitherto Governed their Subjects, and betake themselves to the more rigid ones, which *for the punishment of evil doers*, the Authority God and Nature had invested them with, and gave them Power upon occasion to make use of : But though in the infancy of this Regal Authority, exerted in this manner, Princes measured their Actions by Justice and Moderation ; yet afterwards their happened

* *Justin.*
Hist. lib. 1.
fol. 1.

several inconveniences, to which it was needful to apply, if possible, a Remedy ; for as the will of the King gave birth and original to all Laws. * *Populus nullis legibus tenebatur : arbitria Principum pro legibus erant.* So it too often happen'd, that private affections, without respect to Equity and Justice, made their own fancies, both their Treasurers and Hangmen ; measuring by that Yard, and weighing in that Balance both Good and Evil.

To obviate therefore this almost insupportable (at least to the Northern Part of the World) inconvenience, the Wisdom of succeeding Princes found it necessary for the Good of their Subjects, and the ease of themselves, to determine what Rules and Laws they would have the People guide their Actions by ; and what Punishments for such and such faults they should incur ; and that no Man might plead Ignorance in excuse of their Crimes, ways were found out to make these Civil Sanctions publick. And hence we may date the birth and original of all Municipal Laws ; the Princes still reserving in themselves the Power of abolishing the inconvenient, and explaining the doubtful parts of them, and as occasion requir'd of making such additions to 'em, as the various exigences and postures of affairs, and their own prudence and discretion should invite 'em to : But though this were found to be one great step to the happiness of both Prince and People ; yet there was still something wanting, that was every whit as necessary as the former provision. For every Prince then being absolute Lord of all the Country, whereof he happen'd to be the Supreme Governour, and the Subject depending meerly upon their bounty and kindness for every Foot of Land he enjoy'd, a Tenure so very uncertain and slippery, that he could call
nothing

nothing his own to day, of which he might not be deprived to morrow, all manner of Industry was utterly damp'd, nor was there found that readiness, which might otherwise be expected in the People to hazard and expose their Lives either for the Glory or the Safety of their Prince, or the Defence of their Country, since they could not give themselves the least assurance of enjoying the effects of the labour of their hands, and the sweat of their brows. So that having but very slender encouragement to reckon themselves masters of any thing, they were or might be in possession of, and knowing certainly every thing was subject to the will, and at the disposal of their Prince, and his rapacious Favourites, they became utterly neglectful of making the least improvement of any thing, upon the same ground with those who said in the Eclogue.

*Impius hac tam culta Novalia Miles habebit ?
Barbarus has segetes ? En quis consecvimus Arva !*

Which perhaps might be one of the most material reasons of the slow growth and progress of all Arts and Sciences, since experience can tell us, that of late Years one Age as to those matters has produced more than several Hundred Years did or could do in those early days. But no sooner was the World grown sensible of the danger and inconvenience of this, but most Princes as well for their own security, as the satisfaction and good of their Subjects, were contented to diminish their Prerogative, by granting away that which would prove the greatest & best support of their Thrones, even whilst in the hands of other People; for most Men measuring all their Actions by their own Interest and Advantage, when they find their own safety depending upon,

upon the preservation of their Prince; they will more eagerly and cordially bestir themselves in his Defence; and besides there will then be no encouragement and incitements wanting to industry and labour, whereby riches and plenty will be increased, and consequently, the strength and reputation of both Prince and People will soon grow considerable to that degree, as will make them formidable to their enemies, and useful to their Allies; as being not only thereby rendered capable of giving Assistance and Protection to the latter, but of making the former the Trophies of their Victory and Conquest. Upon such considerations as these, and in prospect of such benefits and advantages, Kings were content to grant their Country amongst their Subjects, to every one such a share as their (the Princes) bounty, or their own personal merit might entitle them to, to be held by them and their Heirs, upon such conditions, and under such limitations, as were then prescribed: from whence proceed the many varieties and differences of Tenures, that once were or now are to be found. And thus was that inestimable Blessing of Property introduced amongst mankind, for which we lay under so many Obligations to the Progenitors of his Sacred Majesty, that we can never enough express our Gratitude to them in Him, for that valuable benefit we inherit from their Bounty and Goodness.

Nor upon a due Examination will it be found to be only a Fancy and Supposition to ascribe the beginning of Property in all Nations to the above-mentioned Fountain; for I doubt not but the particular History of every Country can satisfy any man of the Truth of it; which, if I had the vanity to make Ostentation of my reading upon that subject, I could easily make out: But since every one that is conversant in History cannot
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but have made the same observations that I have done, I shall save my self so needless a labour; only taking notice that we have the Testimony of no less considerable a man than my Lord Coke, to assure us, that all the Lands in England were once in the hands of our Princes; and that no Subject does enjoy any land of Inheritance, which is not held, either mediately or immediately of the King: So that no man has *Allodium* or *Directum*, but only *utile Dominium*, according to that of *Seneca*; *Ad Casarem* (says he) *potestas omnium pertinet, ad singulos Proprietas*.

But though all these things had been introduced, settled and confirm'd for the Common Good and Benefit of the People. Yet there was one thing that was still wanting to compleat their happiness, & that was, what was afterward called a Great Council, whose business it should be, Humbly to acquaint their Prince, with the Grievances the Subject from time to time might happen to groan under, and to propose such means to remedy them for the present, and prevent them for the future, as might be most practicable and convenient; to advise the King what Laws were necessary to be made, and what Laws already made, were fit to be repealed: nor was it the least prevailling invitation with the Kings of those times to the Institution of such an Assembly, that thereby they would be eas'd in some measure, of the great weight of Publick Affairs, which were too heavy for one mans shoulders to support, by devolving part of the Care and Administration of the Government upon them. And not long was it before Kings were made sensible of the great ease and convenience that would arise, and advantage that would accrue to them from such a Provision; for we encounter very early with this wholsome Constitution, which in the Phrase of those Ages was call'd a Senate:

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may so far did the Goodness of many Princes, especially the more remote from the warmer Southern Climates, transport them with the desire of bequeathing all the solid Benefits they could to their Subjects, that they were not content only to have obliged themselves not to make Laws without their Advice, but even tied themselves not to impose them without the Assent too of the Senate; which at the first was composed only of the Priests and Religious men of those times, and the Nobility or Laymen of the highest Note and Quality, exclusive to the Commonalty; who afterwards in process of Time, when theirs and the Nobility's Interest became two things, so that some Provision was necessary to be made for the Security of their Estates and Liberty, against the heavy Oppressions of the great Men, Princes were prevail'd upon to give them too, a Place in their great Councils, which now began to be known by the Name of Parliaments, or the Assembly of the Three Estates; though it must not be denied that the Commons have not every where found so easie an Admittance, but have sometimes been beholden to their own, or their Patrons Swords for the station they have acquired; or else they have been now and then introduced by Princes upon other grounds, and to serve different Politick ends from what I have above-mentioned. What the occasion of the Admittance of the Commons into the Great Council here in *England*, was in the 49th. of *Henry III.* (before which time, as the Learned Answerer of Mr. *Petyt* has clearly made out, we hear no News of them) I suppose no Man can be ignorant.

But to whatever grounds and occasions these Grand Councils owe their Constitution, it has been found that though at first they were design'd for the support
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and strength of Monarchy; yet it has too often happen'd, that they have either wholly swallowed it up in many Places, or at least set themselves up above the Authors of their Being : and so from Conservators of the Liberty and Property of the Subject, they have made themselves absolute Masters of both; and under the notion of giving them Freedom from the Yoke of their Prince, by which they pretended themselves gall'd, they have lay'd a much heavier one upon their Necks; so that it has been the misfortune of the best sort of Governments, sometimes to degenerate into the worst. But from this change and mutation, with slavery at the heels on't, it has pleas'd the Divine Providence, hitherto, unless once for a Tryal of the excellent qualifications of it, to defend us hitherto: Yet to their shame be it spoken, there are those Wretches still amongst us, that are longing after the Leeks and Onions of *Egypt*, that would hurry us back into that miserable state of Bondage, from which the Return of our Dread Sovereign (whom God long defend) set us free; & this they would bring upon us, by the most specious and popular way, under the Pretence of advancing the Power of *Parliaments* beyond the due bounds; which if ever they should compass, they would soon be taught by woful experience, that they would prove as un governable, as the Inundation of a mighty River, that, with a resistless Torrent, overwhelms all that stands in its way.

But because this Gentleman pretends to have got Right and Law on his side, and endeavours to support himself by Authority; I think a candid and impartial examination of him, as to that particular of the exorbitant Power of *Parliaments*, may not only not be unwelcome, but convenient: And that it may be done

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with the more clearness and method, I shall make bold to reduce his Assertions to these Two general Heads:

1. That though the formal power of Convening the States was lodged in the King; yet Existing, and when Convocated, they work by an innate Authority, and by the privileges of their *Original Institution*.

2. That the Parliament being met, the King has no Power to Dissolve it, till all Petitions be Answer'd, and all Grievances be redressed. And whatever may fall under these Points I shall not forget to take notice of.

To the first then of these, as I take it, the Answer is very easie: for if a Parliament or Convocation of the Estates, do depend solely upon the King, both as to their Primitive Institution, and time of Convention; it follows necessarily, that they can have no innate, nor indeed any other Authority, than what they derive from the Bounty and Concession of that Prince and his Successors, that gave 'em Birth: and that they had no other Original I suppose, will be evident from hence, that first, there is not the least hint or intimation of any such formal contract and bargain precedent to their entrance into Society, between any People under Heaven and their Prince, as this Gentleman dreams of, left upon Record in History; from whence, and from whence only such accounts as concern the Institution of Government ought to be drawn, at least it is necessary they should not be repugnant, and contrary to the Relation we have of those times, as this of our Pamphleteers is. For its clear beyond all contradiction, that every Government for the first three thousand years was Monarchical, and that all these Princes, as I have before observed, were Absolute and Arbitrary, their will was the only Law, and the Sword their Scepter:

Scepter: At what time, *Sic volo, sic jubeo, stat pro ratione voluntas*, was a Maxim very much practis'd; and for any one to say, there were any Laws, but those of God and Nature, to the direction whereof, Princes in those Ages were bound to submit themselves, is a Position so senseless, false, and ridiculous, that it would be too much honour to it, to give it a confutation; it being well known, that the famousst Republicks that ever were, I mean *Athens* and *Sparta*, received both their Laws, and the Frame of their Government, from two Princes of their own, *Solon* and *Lycurgus*, who out of their own Goodness and Wisdom, and not as bound by I know not what imaginary fundamental Contract, modell'd them into that form. And where such great changes and alterations were not made, 'tis evident, that whatever legal mutation of the Polity was introduced, it was still done by the Prince; even to the Institution of Grand Councils and Parliaments, according to that Method I have taken notice of above. So that from hence it must needs be apparent, that whatever power we now find vested in the Three Estates, when Assembled in order to assist with their Counsel and Advice to provide suitable remedies, and expedients, for all the several exigencies and diseases of the State, is only deriv'd to 'em from the King, and for the exerting of which, the Writ of Summons gives them Authority; and perhaps it would be found a difficult task to prove, that they have any just pretensions to act any farther than the words of the Writ empower 'em. I am sure it does not appear that they have any thing deriv'd to 'em from the People, by whom they are according to the Kings Will and Pleasure in his Writ signified, elected; no more than a Constable has from the Parish wherein he is chosen.

But that which this Gentleman, and the rest of his Party, so earnestly contend for, is, That the King has not the sole Legislative Power in himself, but that it is shared equally betwixt the Three Estates, (whereof they make him one) and that whatever Law is imposed upon the Subject, derives its obligation and force from their joynt consent, than which nothing in the World can be more false. For proof whereof, I shall endeavour to show: 1. That the King is not one of the three Estates. 2. That He is not only *major singularis*, but *major Universis* too; greater than all the Estates of the Land, both singly and collectively. And 3. That the necessity of the consent of the Lords and Commons to every Law that is enacted, does not in the least intitle them to any share of the Legislative Power.

The first of these, That the King is none of the Three Estates, is plain from the Roll of 1 H. 4. concerning the deposition, *Richard 2.* where amongst other things to the same purpose, it is said, That the Commissioners for the Sentence of Deposition were appointed, *Per Pares & Proceres Regni Anglia Spirituales & Temporales, & ejusdem Regni Communitates, omnes Status ejusdem Regni representantes: By the Peers and Lords Spiritual and Temporal, and the Commons of the Kingdom, representing all the Estates of the Kingdom:* whence it is apparent that the King cannot be one of them; and agreeable to what is here said in the Rolls of Parliament, 1 R. 3. we find it Recorded; *That before his Coronation certain Articles were delivered unto him in the Name of the Three Estates of the Realm of England, that is to say, of the Lords Spiritual and Temporal, and of the Commons, &c.* which expression occurs several times again in the same Roll; which being so, it is impossible to have any thing more for my purpose, or against my Adversary's opinion, than this:

this: nor were these only the Sentiments of these two Parliaments, for it is easie to shew it to have been the constant sense of all succeeding Parliaments likewise. But least I should prove tedious, I will only select a few instances, from amongst the many to be met with: To begin then with *Rot. Parl. 6 H. 6. n. 24.* it is said, speaking of the Power of the Protector, the Duke of Gloucester; *It was advised and appointed by the Authority of the King, (mind what follows) assenting the Three Estates of this Realm. Rot. Parl. 11 H. 6. n. 10.* The Duke of Bedford appear'd in Parliament and declared the Reasons of his coming, *Coram Domino Rege & Tribus Regni Statibus; before the King, and the three Estates of the Realm: ejusdem Rot. n. 11. Domino Rege & tribus Regni Statibus in presenti Parlamento existentibus; the King and the three Estates of the Realm being present in Parliament.* Nothing can be plainer, than that the King is none; and that the *Three Estates of the Kingdom* are the same with the *Three Estates in Parliament: Rot. Parl. 28. H. 6. n. 9. Domino Rege & tribus Regni Statibus in pleno Parlamento comparentibus, &c.* Our Lord the King, and the three Estates of the Kingdom, appearing in full Parliament. For latter times, I shall instance only in the Parliament, 1 *Eliz. c. 3.* wherein the *Lords Spiritual and Temporal, and Commons declare, THAT THEY DO REPRESENT IN PARLIAMENT THE THREE ESTATES OF THE REALM:* All which shew how far the King was from being thought one of the *Three Estates* of the Realm in those times: But for your farther satisfaction in this Point, I refer you to the *Grand Question, &c. p. 162. & sequent.*

And now I have thus clear'd the way, I shall be able with the more ease to make out my second Position, which is, That the King of England, as Camden, as famous;

*Camden
in Britan.
Descript.*

24 H. 8.
c. 12.

famous and learned an Antiquary, as any of the Age he lived in, hath informed us, has *Supremam Potestatem & merum Imperium*, the Supreme Power and absolute command in his Dominions; and that he neither holds his Crown in Vassalage, nor receiveth his Investiture of any other, nor acknowledgeth any equal, nor any Superior, but God Almighty. Both which Prerogatives are so apparently his right and due, and that opinion of His being inferior to, or at least coordinate with any on this side Heaven, is so evidently false; that if Men were not Hood-wink'd with Passion, Prejudice and Partiality, they would certainly be ashamed of their obstinacy, in maintaining either one or other of those absurd Positions: for it is declared expressly by Act of Parliament, that *the Realm of England is an Empire, Governed by One Supreme Head and King, having the Dignity and Royal Estate of the Imperial Crown of the same, &c.* Nor was this any new opinion invented only to comply with the Princes humour; but such as is there declared to have been fortified by sundry Laws and Ordinances made in former Parliaments; and such as has been since confirm'd by a solemn Oath, taken and to be taken by most of the Subjects of this Kingdom; in the Declaratory part whereof, he that taketh it, doth declare and testifie in his Conscience, that the King's Highness is the only Supreme Governour of this Realm, and of all other his Dominions and Countreys, as well in all Spiritual or Ecclesiastical Things or Causes as Temporal, &c. and in the promissory part thereof, he makes Oath and sweareth, That to his Power he will assist and defend all Jurisdictions, Privileges, Prebeminences and Authorities granted or belonging to the King's Highness, his Heirs and Successors, united and annexed to the Imperial Crown of this Realm. To this so sacred Authority, I might add, if

it were needful, the suffrage of *Bracton*, who may very well be supposed to know as well what the Law was in his Time, as any Man, by whom we are informed, that every One is under the King; but the King under none, save God only: *Omnis quidem sub Rege*, (says he) *& ipse sub nullo, sed tantum sub Deo*. But he goes yet further, and tells us more than this: *Sciendum est* (as *Bracton de Leg. Angl. lib. 2. c. 24.* his words run) *quod ipse Dominus Rex ordinariam habet Jurisdictionem & Dignitatem & Potestatem super omnes qui in Regno suo sunt. Habet enim omnia Jura in Manu sua, qua ad Coronam & laicalem pertinent Potestatem, & materiale Gladium qui pertinet ad regnum gubernandum, &c.* The meaning of which in short is this, That the King hath Supreme Power and Jurisdiction over all Causes and Persons in this His Majesty's Realm of England, that all Jurisdictions are vested in Him, and issued from Him; and that He hath *Jus Gladii*, or the Right of the Sword, for the better Governance of his People. But it being found that matters would not succeed well, in making the King inferior to any; therefore others have found out another trick to invest the Parliament with the Robes of Sovereignty, not as Superior to the King, but as coordinate with Him. But the Foundation of this opinion being laid chiefly upon these two Suppositions; (for they are really no other) that the King is one of the Estates of the Realm; and that the Two Houses have a joynt Power of making Laws in concurrence with Him, I shall have occasion to say less here to this wild and extravagant, though too commonly received Position, because I have already made out, that nothing can be more false, than to pretend the King to be one of the three Estates: and for the other assertion, it will naturally fall under my examination, when I come to the third Point I have
 to show under-

undertaken to prove; I shall in this place therefore only observe, that we have before seen a Recognition made by Act of Parliament, by which the Kingdom of *England* is acknowledged to be an Empire, governed by one Supreme Head and King, to whom all sorts and degrees of People ought to bear, next to God, a Natural and humble Obedience; which certainly the Lords and Commons had not made, to the dethroning of themselves, their Heirs and Successors, from this Coordinative part of Sovereignty, if any such Coordination had been then pretended to: Besides, if this coordinative Majesty be once allow'd of, it must needs follow from thence, that though the King may have no Superior, yet He must needs have equals; when on the contrary, we are told by *Bracton* in plain terms, that the King not only hath no Superior, except God Almighty, but no equal neither; and the reason he gives for it, is none of the smallest size; *Quia, sic* (says he) *amitteret præceptum, cum par in Parem non habeat potestatem*; because he could not have an equal, but with the loss of his Authority and Regal Dignity, considering that one equal hath no Power to command another. But lest this should be thought to extend to the King only out of Parliament, it is to be remembred, that by *5 Eliz. cap. 1.* it is provided, that every Member of Parliament, before he be admitted to have a Seat or Voice in the House, is bound to take the Oath of Supremacy; and what that is, and where it places the Sovereignty, is, I think, not very obscure. Besides, to own (which every Man must) that all Members of either House, *seorsim*, taken severally, as particular Persons, should be Subjects, and yet to endeavour to persuade us, that all collectively in their Houses are no Subjects, is one of the most ridiculous things in the World;

* *Bracton*
de Leg.
Angl. lib. 1.
c. 8.

World; nor can any Man hear such serious follies, and abstain from laughter; nor think any Man, that pretends to Sense or Learning, can talk at this rate of a Monarchy; (which every one that knows any thing in Greek, knows that it signifies the Supreme Government of one) compounded of three coordinate States, and those consisting of no fewer than 600 Persons; or that he that could but challenge so much use of reason, as to distinguish himself from a beast, can fall on such a senseless dotage, as to make the same Man, at one and the same time, to be a subject and no subject: Especially, seeing 'tis very well known, that even *sedente Parlamento*, 'tis and ever has been the Custom of both Lords and Commons, to address themselves to the King, by way of Supplication and Petition, (which certainly is not the course for Men of equal rank, to make their applications to each other) and in those Petitions they constantly stile themselves *His Majesties most humble and obedient Subjects*. Which is so far from being matter of Complement only, that it is the very Phrase in some Acts of Parliament, as in the Acts 25 H. 8. at large doth fully appear. And all this being so, I cannot but admire with what confidence any Man can pretend to maintain any such thing as a Coordinacy, after such clear evidence to the contrary, unless he be resolved to give the Lie both to the express words and the constant sense of Parliaments, and at once bid open defiance, both to Truth, Reason and Honesty: and if that be the case, I shall rather be inclined to pity his condition, as He, whose Head is not to be sufficiently purged by all the Hellebore in *Anticyra*; than go about to hopeless and unlikely a business, as the conviction of such a one by dint of Argument. But before I conclude this Point, I cannot but take notice of one thing

which at once seems to destroy this pretended Co-ordinacy, which is to be found, *Rot. Parl. 21 H. 4. c. 4.* and is abridged by Sir Rob. Cotton, in these words, *The same Thursday, being the last day of the Parliament, the Commons KNEELING before the King, beseech the King to PARDON them, if happily they should through Ignorance offend. The King Granted.* And now let any one tell me, whether Kneeling, and that for Pardon of Faults they only fear'd they had committed, be a becoming Posture for those that pretend to be Equals to, and Fellow Commissioners with the King. Certainly he must be strangely obstinate, that such undeniable Testimony as this will not convince.

The Third particular I undertook to prove was, That though the Consent of the Lords and Commons be necessary to make any Law binding to the Subject; yet the Supreme Legislative Power is solely vested in the King: for first, it has been made appear that Parliaments owe their Original to the Grace and Favour of Kings, by whom they are Constituted not to put in with them for a share of the Sovereignty; but only to give their Advice and Assent to such remedies as should be from time to time found necessary to be applied to the Maladies of the State; and to prevent those inconveniences that might accrue to the Publick; by having things imposed as Laws, which might not consist with the Interest of the People; which could no way so well be known, as from the Great Council; whose business it would be to see that nothing passed in favour of one Estate which would redound to the prejudice of either of the other: and besides there was this great advantage, that nothing could be made into Law, under the pretence of the King's Will and Command, (when it was incompatible with the Publick conveni-

convenience,) only on purpose to gratifie the ambitious designs, or comply with the covetous humour of some Court Minion ; not to take notice how great a check this would prove to that Monarch, whom his own inclination, or the ill Counsels of his Favourites should tempt to exercise a Tyrannical Power over his Subjects, both to his own and their Ruine. But to insist no longer upon this which I have taken notice of before ; Bodin the greatest Politician his Country produc'd in the Age he liv'd in, affirms expressly, *Principis Majestatem, nec Comitiorum Convocationem, nec Senatus Populique presentiam minui* ; That the Majesty or Sovereignty of the King, is not a jot diminished, either by the Calling of a Parliament, or *Conventus Ordinum*, or by the frequency or Presence of his Lords and Commons ; nay the same great man proceeds further, and tells us, * *Legum ac Edictorum Probatio aut Confirmatio, qua in Curia vel Senatu fieri solet, non arguit Imperii Majestatem in Senatu vel Curia inesse* ; that the Publishing and Approbation of Laws and Edicts, which is made ordinarily in the Court of Parliament, proves not the Majesty of the State to be in the said Court of Parliament. For though the King have tied himself up not to make Laws without the consent of His Two Houses, yet has he not thereby divested himself of any part of the Legislative Power, but retains it all still in himself, only he is under an Obligation not to exert this Power without their Assent first had : 'Tis from the King's consent alone that a Bill becomes a Law, 'tis from his breath it receives it's force, the business of the Parliament being only deliberative, and preparatory in order to it's receiving the Royal Stamp. And for the truth of this I need only appeal to the constant form of our Ancient Statutes, which always run in the King's Name,

Bodin. de
Repub.

* Item l. 1.
c. 8.

which as they were issued out at the first, either in the form of Charters under the great Seal, or else as Proclamations of Grace and Favour; so do they carry this mark of their first procuring, *The King Willeth; The King Commandeth; The King Ordaineth; The King Provideth; The King Granteth, &c.* Nay, several Statutes are there to be found, without the least mention of either Lords or Commons, which certainly would never have been, had not the sole Legislative Power been lodged in the King. Though I must confess the Stile of our Acts of Parliament in the last Age, is very much alter'd from what it formerly was, by the inadvertency of Kings, who were never so careful of the preservation of their Prerogative, as the Commons have been diligent in making large Additions to theirs: besides I take it to be no small proof, that the Legislative Power is solely in the King, because to him only belongs the Interpretation of all Laws; which certainly no man is enabled, or ought to give, but he that made them, which therefore must be the King; and that the King has such a Power, is told us by *Bracton*, *In dubiis & obscuris* (says he) *Domini Regis expectanda Interpretatio & Voluntas*, which one would think is plain enough: and so much I am sure the Lord Chancellor *Egerton* gathereth out of the same *Bracton*, viz.

Case of
Postnati. p.
107, 108.

” That all Cases not determined for want of foresight,
 ” are in the King, to whom belongs the Right of Inter-
 ” pretation, not in plain and evident Cases, but only
 ” in new questions and emergent doubts; and that the
 ” King has as much Right by the Constitutions of this
 ” Kingdom, as the Civil Law gave the *Roman Empe-*
 ” rors, where it is said, *Rex solus judicat de causâ à*
 ” *jure non definitâ*. And indeed for the further proof
 and clearing of this Point, that the Lords and Com-
 mons

mons ought to pretend to no more power in the making of Laws, than opportunity to propound and advise about them, and on mature deliberation to give their Assents to them; we need but look into the Act of Parliament, 3 *Car. 1.* call'd the *Petition of Right*: An Act conceived after the true Primitive form, in way of Petition to the *King's most Excellent Majesty*, to which, though the King gave a general and gracious Answer, yet was there little satisfaction till he came in Person, and having caused it to be read, return'd this Answer, *Soit Droit fait come est desire*, which being the formal words whereby this Petition became a Law and had the force of an Act of Parliament, and seeing there is no mention made of the concurrent Authority of the Two Houses for Enacting the same, it may serve instead of a great many Arguments to evince that the Supreme Legislative Power is solely and wholly in the King, though restrained in the exercise and use thereof by constant Custom (proceeding at first from the gracious Concession of our first Kings) unto the Council and Assent of Lords and Commons: For, *Le Roy veult*, is the Imperative Phrase, by which the Propositions of the Lords and Commons are made Acts of Parliament; the Obligation, whereof is not deriv'd from hence, that we have consented to 'em by our Representatives, and therefore are bound to obey 'em; but our Obedience is due because they are enjoyn'd and imposed upon us by the Authority of the King. For else scarce one third of the Kingdom would be oblig'd to a Submission to the Laws, whilst the rest might plead exemption from them, because they never consented to them, either by themselves or their Representatives; they being not qualified for giving a Vote towards the Election of Members for Parliament: and yet many

of them may be no inconsiderable persons neither, but such as may be masters of good Estates in Money, or Copy-hold, Leases for years, &c. But since notwithstanding this, all these men are equally bound with those that are Free-holders, to pay an Obedience to the Laws, it necessarily follows, that the ground of it, must be something else than having consented to the making of them, which these never did; and that can be nothing else but what I have assign'd, *viz.* the King's Authority and Command.

And thus having to my Apprehension given a full and sufficient Answer to the First Assertion of my Adversary I undertook to examine: It is now high time to try whether he may meet with any better success in his Second, which was, *THAT* a Parliament being conven'd, the King was obliged not to Dissolve or Prorogue them till all Petitions were Answer'd, and all Grievances redressed, which is all on't meer Cant. The plain English of it being that a Parliament ought to sit for ever, or at least, till they dismiss'd themselves, which perhaps might be *ad Graciam Calendar*, (as they us'd to say.)

But how false this Seditious Opinion is, one would think were sufficiently evident from the Diametrically opposite Practice, even from the very beginning of Parliaments, by which I dare appeal to any man, it is manifest that the Kings of *England* have ever had, and made use of the Power of Calling, Proroguing and Dissolving their Parliaments when they thought convenient; and certainly it is most highly rational that our Kings should have that Prerogative, so mighty necessary to the safety and Preservation of the Government. For had not the King that Power, I would

can know what would be the consequence of the heats and Divisions between the two Houses, which 'tis easily to be supposed may be fortified and improved by all men, to that degree, that nothing but a separation by Dissolution, or a long Prodigation may be able to compose and heal them again. For, if there were not a Power lodged somewhere of putting this Provision in practice, and applying this only Remedy to such a dangerous Distemper, it would assuredly, in a short time, throw any Government into such a Convulsion, as would end in a total Ruine of the whole State: And certainly no where can this Power be placed with more decorum and convenience than in the King, who must either be the sole Judge of using, or not using it, or else 'twill be the same thing, as if he had it not at all.

But because some Men pretend to Acts of Parliament, and Antient Practice, to justify this wild notion of the obligation the King lies under, to continue the Session of Parliament, till all businesses depending be determined; I shall be particular in the examination of all the Authority they produce: And the first is a Statute made in the Reign of *Richard the Second*, but in what Year it was Enacted, was a secret, neither this Gentleman, nor any of his Party were willing for a great while to communicate, lest upon sight of it, it should be found not to answer expectation; but however, it was enough to make a noise and a pother about, and put strange imaginations into the Heads of the People; but now, at length, we are told where to find it; the mischief on't is, it signifies nothing, or not much to the purpose, for if we consult the *Rolls of Parliament*, we shall find, that the substance of it is no more than this: The Commons Petition, *THAT* answer reasonable (as it is abridged by *Sir Robert Cotton*) may be given to all

Rgt. Parl.
2 R. 2. n.
28. part.
prim.

their

their Petitions now, or hereafter to be moved; and that Statutes be thereupon made before the departure of the Parliament: (for in those days it was the custom after the breaking up of Parliaments, to commit all those Bills and Petitions, upon which the King had set his Royal stamp, to the care of the Judges and the King's Council, to draw them up into the form of Laws or Statutes, which, through their carelessness, was too often neglected.) To which Petition the King returned this Answer, *Such Bills as remedies cannot otherwise be had for, but in Parliament, reasonable answer shall be thereto made before such departure.* The Words of both Petition and Answer are thus set down at length upon the Rolls, (which for your fuller satisfaction, I shall crave leave to transcribe.)

ITEM supplient les Communes par ce que Petitions & Billes mises en Parlement par diverses personnes des Communes ne purront discelles devant ces heures nul response avoir que de leur Petitions & Billes ore en cest present Parlement & des toutz autres queux serrant mises en Parlements en temps avenir que bone & gracios response & remede leur ent soit ordeine devant leur departir de chescun Parlement, & sur ce due estatut soit fait & ace present Parlement, & enseale a demorer en tout temps avenir sil vous plect. The Answer to which is return'd in these words: *IL plect au Roy que des rielles Petitions baille en Parlement des choses que aillours ne purront estre terminez bone & resonable response soit fait & donez devant departir de Parlements.* And now, from hence, to my apprehension, it does not at all follow, that the King is obliged to any thing more than to return Answer to such Bills, as being ready for his Royal Sanction, are presented to him, in order to the making them into Laws by his Royal Command; for it is plain, that by Petitions in this place, are meant only publick (and not private) Petitions, such as are

now

now called Bills, because it is desired that, *sur ce due Estatut soit fait, &c.* which can by no means be construed to extend to private Petitions (of which more anon) and this is no more than what is now constantly practis'd. In the next place it appears not that the King is obliged to let the Parliament sit till they have dispatched all the business before them, but only to give Answer to such Bills and Petitions as are ready to be pass'd at the designed time of the Dissolution or Prorogation before the Parliament be actually Dissolved or Prorogued, as the custom at this day is. Thirdly, It is hereby left to the King's choice whether he will give any Answer at all to those Petitions whose subject matter is such as may be determined out of Parliament: for the King in his Answer tells the Commons, it is his Pleasure, that a good and reasonable Answer be given to such things, *que aillours ne purront estre terminez*; thereby restraining the obligation of returning an Answer, to things of that nature only. And lastly, The King is not tied hereby to give his Assent to every Bill or Petition that is presented to him, for that is not included in the Phrase of *bonne & reasonable response*, seeing what Answer soever be given, it is to be look'd upon as such, at least, it seems so to the King, who is left solely to judge whether it ought to be deny'd or granted, so that which way soever He please to determine Himself, his Answer is good and reasonable in his Apprehension; or else 'tis to be presumed he would not have given it, and every man knows, that let the Kings Answer be never so unpleasant, sharp and severe, it is still call'd *Gracious*. But to put this matter beyond all doubt, that there may be no pretence from hence to deny the King his Negative; I question not but it will be granted me, that the best

way to know the meaning of this Act, is by consulting the Practice in that very Parliament wherein it was made; and there we shall find the King denying his Assent to several Bills, out of which, for example sake, I shall select two or three: Num. 31. the Commons Petition, *That all Customers and Comptrollers of England, may yearly be removed*; To which the King very smartly answers, *Le Roy per l'advice de son conseil ent ordevera de tieux officers come lui semblera*. Num. 34. The King is pray'd, *That Sheriffs of all Shires, where the King, for to ascertain his debts, hath appointed to certain men sundry sums of those Sheriffs Receipts, may upon their accounts be discharged thereof*; The Answer is, *Le Roy s'advisera per son conseil*. Num. 52. The Commons Petition, *That the King will grant Pardons to all such as will, for the only Fee of the Great Seal, of all points of Eire, of desperate debts of any of his Ancestors, and of all Points of the Forrest, until the Pentecost now present*. To which it was Answer'd, *Le Roy s'advisera*. Num. 55. The Commons pray, *That no Knight or Lady under forty pound land a year, do wear any pretious Furrs, Cloth of Gold, Ribons of Gold, or Silk, on pain to lose all they have*. To whom it was Answered, *Le Roy s'advisera tanque a prochein Parlement*. So that all this considered in my poor opinion, there can be very little found in this Act, that can make in the least in favour of my Adversaries opinion; though some people have of late made a great pother about it as if it could have done wonders. But lest this pretence should miscarry, they have thought upon another trick to perswade the People that Parliaments cannot be dismiss'd while any Petitions remain unanswered, by telling them, *That it was the practice particularly in the Reigns of Henry 4. Henry 5. Henry 6. for Proclamations*

clamations to be made in Westminster Hall before the end of every Session, that all those that had any matter to present to the Parliament, should bring it in by such a day, for otherwise the Parliament would at that day determine.

But granting the matter of Fact to be true: (which perhaps it would not be easie to prove) I cannot comprehend how this should make for their purpose; for 'tis most certain, that those Petitions were only private, for which there were Receivers and Tryers appointed for the most part by the King, or those that derived their power of nomination immediately from Him; and if they were such as were not approved by these Commissioners, they were rejected one by one, with a *non est Petitio Parliamenti*; and what they would seem to infer from this Custom, viz. that the Parliament ought not to be ended before a determinate Answer be made to those depending Petitions, is absolutely false, notwithstanding the Authority of the foolish and spurious Treatise, *de modo tenendi Parliamentum*; for it appears that many Parliaments have been dismiss'd before all Petitions in them have been answer'd, nay, not infrequently, certain Lords and other Commissioners, or the King's Council, have been appointed to Answer them, after Parliaments ended, as the Parliament Rolls, 7 R.2.n.50. wherein to the Commons Petition it is answered: *Let such Bills be exhibited to the King, as cannot be ended by the Council*, (so that it seems the Council had cognisance of some sorts of Petitions, which might be determined either while the Parliament sate, or when it was dismiss'd) 21 R.2.n.74. &c. 1 H.6.n.21. 4 H.6.n.21. 8 H.6.n.69. wherein 'tis said, *Certain Petitions were committed to the Council by them to be determined*, 15 H.6.n.33. and other Rolls attest; nor as far as I can guess were these Proclamations

Clam. 8. R.
1. m. 6 dorso
in Ced.
Clam. 21.
E. 1. m. 7.
intus in
Ced. Clam.
33. E. 1. m.
8. dorso.
than no-
thing can be
more ex-
press.

spoken of any other nature, than those Bills that at this day are usually put upon the Door of the Lords House, wherein notice is given to such as have any Petitions to deliver, relating to this or that business, to put them in before such a day, or they shall not be received. And of what concern this, if there were no more in those Proclamations than this amounts to, may be to the Point in controversy, I leave to any man of sense to judge.

And thus having given a clear Answer, as I conceive, to all the Authority produced to support the Truth of his Notions, and thereby removed the foundation, the superstructure must of necessity tumble down, unless his groundless, idle and fantastick suppositions can be supposed to hang in the Air, without that foundation upon which they are said to be built: nor will those inconveniences he urges justify his wild opinion; for so long as we are on this side Heaven we are not to expect perfection, 'tis not in Humane Nature to preserve us free from inconveniences and irregularities in almost every thing we are conversant about: so that men are not more to blame in any one thing than their charging the Government with those Grievances which are inseparable from the infirm condition of Humanity, or perhaps are barely the consequences of their own inconformity to the true and necessary temper of Subjection. For flattering themselves with the consideration only of their private utility, they expect to live free from all incommodities, forgetting in the mean while, how impossible a thing it is, when even they are willing to contribute their utmost endeavours, to render themselves and the Government safe and easie.

'Tis true indeed, Princes have too often abused that Power, God and Nature has given them, and trifled away the Lives and Fortunes of their Subjects; but yet when such misfortunes have happen'd, it has always been found more advantageous, at the long run, to sit down patiently under a few private mischiefs, than by an endeavour to alter the Government, to bring a publick and common Calamity upon the whole; for besides the miserable effects of a Civil War, if success attend their rebellious Arms, they gain no more advantage by it than to change their Master, without being a-whit the freer from slavery: nay perhaps, under the name of Freedom, they may have a far more grievous Yoke than ever, laid upon their Necks: but if their Prince's Arms be crown'd with success, then they are sure to be Slaves beyond Redemption. But though these things happen sometimes, yet I am afraid those that ought to be the Guardians, as it were of the People's Liberty, by their Mutinous and Seditious behaviour, are too often to be charged with those misfortunes that happen, and by their undutiful Carriage, and ambitious Designs, to gratifie either their Malice or their Pride, and serve their private Interest, too frequently rob their Prince of those many opportunities he would otherwise have of making his People happy; and certainly when they are neglectful to contribute their utmost endeavours to those of their King, to cure the Maladies, and make provision for the exigences of the State, it is a great piece of injustice to charge the King with those inconveniences that owe their original, or at least continuance, to other People.

I am sure, whoever considers the late proceedings here among us, will have very little reason to believe, that it was the King's fault, that after a long Pilgrimage, to attend upon the Publick Service, the Mem-
bers.

bers of Parliament had scarce time to pull off their Boots before they were dismiss again by a Prorogation or Dissolution, as this Gentleman (p. 13.) has it; nor had they an opportunity given them of coming to the *Parliament-house* purely for the sake of going down again.

But because the proof of this would ingage me in the Defence of the King's Gracious Declaration; in Answer to what is here objected against it, I shall forbear any further prosecution of this matter, because this Province is undertaken by one of the most excellent Pens in *England*; which I doubt not will be discharged with all the Judgment, Wit and Eloquence so weighty a Subject requires, and attended with all the success so good a Cause deserves. I shall therefore only observe to you, that many Men think themselves under an obligation of defending all that is done by the House of Commons, not so much for that they are convinced they have done nothing but what is really in it self justifiable; but only because the House of Commons did it, as if it were impossible they should err: or if they should happen to do a thing, that in any body else would be call'd a great fault and mistake, yet in them it changes its Nature, and is turn'd, be it never so much Devil before, into an Angel of Light. But how false and unwarrantable a Logick this is, I perswade my self every thinking rational Man cannot but perceive; for though the Lower-House be an Assembly of the wisest Heads in the Nation; yet it doth not follow from thence that they are infallible, or that upon the sudden they can divest themselves of their Passions, which are as natural to Mankind as it is to eat and drink; and if so how can we be assured, but they may be either sway'd by their affections, or biassed by their Interest, or even under the pretence of the Publick Good, carry on little private desigas of their own, in prejudice to the Publick

Peace and Safety? and in such a case as this is, surely nothing can be of more dangerous consequence than to entertain too favourable an opinion of their proceedings; nor would it at any time be inconvenient to try all their Actions by the Touch-stone of the Law, and weigh 'em in the Ballance of Justice and Equity: but if Men resolve before-hand to justify all that's done, right or wrong, it is a certain way to render us for ever miserable and unhappy. " For as Parliaments (as Mr. Prinne in his Learned Preface to Sir Robert Cotton's Records, informs us) " are the best of all Courts, Councils, when " duly summoned, convened, constituted, ordered, and " kept within their Legal Bounds: so they become the " greatest Mischiefs, Grievances to the Kingdom, when " like the Ocean, they overflow their Banks, or degenerate and become (through Sedition, Faction, Malice, " Fear, or Infatuation by Divine Justice) promoters of " corrupt, sinister ends, or accomplishers of the private " designs, and ambitious Interests of particular Persons, " under the disguise of publick Reformation, Liberty, " Safety, Settlement: according to that of *Isay* 19. 13, " 14, 15. *The Counsel of the wise Counsellors of Pharaoh,* " *is become brutish; the Princes of Zoan are become Fools,* " *the Princes of Noph are deceived, they have also seduced* " *Egypt, even they that are the stay of the Tribes thereof:* " *The Lord hath mingled a Spirit of perverseness in the midst* " *thereof; and they have caused Egypt to err in every work* " *thereof, as a drunken man staggereth in his vomit; nei-* " *ther shall there be any work for Egypt, which the head or* " *tail, the branch or rush may do.*

" So as we may justly conclude with that of *Psalms* " *118. 8, 9. It is better to trust in the Lord, than to put* " *confidence in man; it is better to trust in the Lord, than to* " *put confidence in Princes; yea, or Parliaments: Where-* " *fore put not your trust in Princes, (in Parliaments) nor*

Psal. 146.
3.

" in

- Isay. 1. 12. "in any Son of man, in whom there is no help: yea, Cease ye
 "from man whose breath is in his Nostrils: for wherein is he
 "to be accounted of? For although usually in a way of
 "ordinary Providence, In the multitude of Counsellors: there
 Job 12. 17. "is safety; yet God many times in Justice Leadeeth the
 "greatest Counsellors (yea Parliaments themselves) away
 "spoiled, and maketh the Judges fools: so that though they
 Isay 8. 9. "associate themselves together, they shall be broken in pieces,
 10. "and though they take counsel together, yet it shall come to
 "nought: When God is not with, but against them;
 "whereof we have seen many late sad domestick expe-
 "riments, to wean us from Deifying, Idolizing of, or
 "over-much confiding in, or depending upon Parlia-
 "ments, which have been subject to Errors, Deviations;
 "Abortions in former & later times: thus far he *verbatim*.

Thus, Sir, according to your commands, I have thrown together my thoughts concerning this Pamphlet, and I hope I have made it appear, how false and groundless the Notions are, upon which the Author of it has built his whole Discourse: and I think it will evidently enough appear from what has been said, that 'tis to God Almighty only, that we owe our Religion and our King; and that we are solely indebted to the Regal Authority and Concession, for the Liberty and Property we enjoy. I am very sensible I might have said a great deal more, in proof of what I have advanced, but that I have already, I fear too far transgress'd the bounds of a Letter: However, I was willing rather to trespass a little on good manners, than be wanting in the least to your desire, beseeching you as favourably to accept these Considerations, as they are cheerfully digested by me, in obedience to the intimation of your great desire, which in this and all other things, has the force of a Command upon all the Actions of, Sir, your most obedient humble Servant.

AN
EXAMINATION
 OF A
PAMPHLET
 INTITULED,
AN IMPARTIAL ACCOUNT
 OF THE
 NATURE and TENDENCY
 Of the Late
ADDRESSES, &c.

I Had no sooner finished the precedent Discourse, but I was perswaded to add to it, an Examination of AN IMPARTIAL ACCOUNT, &c. as being not very Foreign from that part of my Letter, which spake concerning the King's most Gracious Declaration, which some have, not only to the amazement and wonder of all good Men, endeavour'd to traduce

as a Libel; but have been likewise very solicitous to cast the foulest aspersions upon those Honest and Loyal Persons, who according to their duty, have, as became them, return'd his Majesty their humble thanks and grateful acknowledgments, for his most gracious Condescension, in pleasing to descend to acquaint his People, with the Grounds and Reasons, that forc'd Him, so contrary to his Natural Inclination, to part with his two last Parliaments: and for those most transcendent marks, of the most consummated Goodness, in assuring and passing his Royal Word to his People, that notwithstanding those many Unjust surmises and Groundless jealousies, some ill Men and profligate Wretches had rais'd, and made it their business to infuse into the Heads of his Subjects; He was yet firmly resolv'd to defend them, in the Possession of their just Liberties and Properties, from all Attempts whatever, and to make the Law his Golden Rule, whereby He directs all his Actions.

Whilst on the contrary, they might reasonably have hoped to have met with more applause, and less opposition, in a thing, which all the ties of Duty and Gratitude did indispensably oblige them to; but alas! to see how they were mistaken; for it has not, it seems, been sufficient to traduce them in Private, and brand them with all the scandalous and opprobrious Names, the wit or malice of their Adversaries could invent, but they must publickly, in Print too, be rail'd at, and falsn upon, as a sort of Men that scarce deserve to live in any Government; but amidst all these misfortunes (if a Man can call those things so, which are suffer'd for so good and noble a Cause) 'tis their comfort, that their Adversaries are only of that wretched Crew among us, who are equally Enemies to Monarchy it self,
and

and them that would support it, as having entertain'd so irreconcilable a hatred against Kings and Princes, and those that have declared themselves Friends to 'em, and plaid the part of the very Antichrist himself so well, in exalting themselves against *whatsoever is called God*, that they have rais'd a shrewd suspicion, that the special reason why they affect to be call'd the *Godly*, and the *Saints*, is out of a strong and probable hope to see the day, in which they *shall bind Kings in Chains, and all the Princes of the Earth in Fetters of Iron*: and certainly this holy Race of Men that are so much displeas'd with these *ADDRESSES*, are not so angry with them for nothing; I doubt they have unluckily broke the neck of some hopeful design, beyond the possibility of a retrieve; and therefore being impatient for so great a disappointment, 'tis no wonder to see them vent their spleen and malice, at this prodigious rate, against the Men, they have so much reason (as they think) to bear a hatred, and have an aversion to.

But of all the Affronts that have been done to those that have presented Addresses to his Majesty, none has been so Solemn and Publick as this, that our Impartial Examiner of *The Nature and Tendency of Addresses*, has put upon them; who, through their fides, has made bold to wound, even the Government it self, by endeavouring to bespatter them with false and scandalous Reflections, and insinuate into the heads of the unthinking Multitude, fears and jealousies of Danger, that threatens them from that Party, as if they themselves either really design'd, or at least were made a *Stale* of, to introduce Popery and Arbitrary Power; the two things upon Earth a true English-man has the greatest aversion to: but that we may not dwell upon these general Considerations too long, let us examine his Particular

ticular Charges against both Addressees and Addressers.

And first, we encounter with his Reflections upon them in general, which may be reduced to these heads: 1. The advantage or disadvantage that may accrue to the King by 'em. 2. The number of the Addressees. And 3^{dly}, Their condition and quality.

As to the first, he tells us, *Se^{ct}. 2.* That there is but little weight to be laid upon the Promises made by the Addressers, which is a very fine way of creating a jealousy in the mind of the King, as if the Loyalty of his Subjects, even when protested in the most Solemn and Sacred way, that without an Oath it can be, should then be most of all liable to be distrusted; but he has made the most unfortunate choice in the World of an example to measure the likelihood of his suggestion by, by informing us how strange a disappointment, three and twenty Years ago, *Dick Cromwell* met withall, notwithstanding all the assurances that had been given him of standing by him, whereby he was betray'd into Security and Ruine: for he might have pleas'd to consider, what vast disproportion there is between that Case and his Majesty's; the one being not only an Ufurper, but set up too by a Party of Men, that only design'd to make him a *Stale* to their ambitions, and then lay him aside again, as soon as he grew useles, and their ends were serv'd: besides, that those that countenanced him, were by far the least part of the Nation, and were so far from being perswaded, that He had a right to the Government, that they believed the best Title depended upon the greatest Interest, and the longest Sword; when on the contrary, every one knows his Majesty is our lawful Sovereign, and has, as he ever had, since the Martyrdom of his Father, an indefeasible Right

Right to the Crown, so that every one of his Subjects is bound to a Natural Obedience, and owe such a Loyal submission to Him, as all the power upon earth cannot absolve them from the obligation of it. So that I cannot apprehend the least suspicion of their not being as good as their words, since the promises they have made, are only a giving His Majesty an assurance, that they know their Duty, and are firmly resolved to act when there shall be occasion, according to it ; and why this Gentleman should go about to question the sincerity of it, I know not, unless it be to give encouragement to some desperate and pernicious design against the State, which the Villanous undertakers have been frightened from, by the apprehension of the Numbers that would be ready to oppose them : but if ever they should be so mad or wicked as offer at an execution of it ; they would find to their fatal and sad experience, that the Addressers are men of Honour, acted by the sense of their Duty, and not to be Biassed by Interest : and if any men be angry, because the countenance shew'd to the Addressers, may seem a Reflection upon the Loyalty of those that oppos'd them, and a lessening of the esteem they once perhaps might have had from His Majesty ; since they are only justly to be blam'd for it, they know how the Proverb directs 'em to please themselves.

As to the Second point, of their being but few in number, granting it be so, yet thank God we have a Prince too Wise and too Watchful to suffer Himself to be lull'd into security ; so that upon that account there is no prejudice or inconvenience like to redound to Him : and though he seems to charge both the King and Them with a design to introduce Arbitrary Government ; or at least that they are made Tools on to.

to serve some such Intrigue, carry'd on by other men; that he would have us believe manage them; Yet he seems to pursue this Accusation so faintly, as if he were ashamed of the malice and falsity of it himself; and therefore I shall forbear to press the modest man too hard. However I shall crave leave to tell him, that the Numbers of the Addressers though he endeavours to lessen them to the utmost of his power, is not so inconsiderable but we may be assured, that the greatest part of the Flock is yet sound and untainted, and the rest upon the mending hand; a mark hereby being set upon the infected, that they may be avoided, so as to prevent the spreading of the Plague any further: and if this be to divide the Nation into Factions, and divisions, I think 'tis the happiest Schism that ever was introduced among us; and by his favour, if the number of Addressers were truly calculated, they could not but amount to such a sum as were not at all contemptible, and every day adds still more to 'em, by bringing a New Address. And indeed 'tis wonderful to consider what happy effects the King's Declaration has wrought upon the minds of his People, by opening their eyes, to see what gross abuses had been put upon them; and there is no doubt to be made but the next Election for Parliament-men, will let this Gentleman and his friends see what false measures they have taken in confidence of the great number and strength of their party, which they will find to be mouldred away into nothing.

Next, as to the Quality of those that have Addressed, I dare boldly tell him, that some of the best Condition, greatest Prudence, and largest Estates of any men in the Kingdom, have been engaged, and notwithstanding all the ignominious names he has pleased to bestow upon them, I question not but amongst them all, there will

will scarce be found any one that may deserve such a Character: The Number of the Addressers being made up generally of the best Nobility, most Ancient and Loyal Gentry, and the most substantial Freeholders; it being a general observation, that the most Rascally People, such as have least Estates, and less sense, are the greatest sticklers against them, and for Petitions; as being they who are most easily impos'd upon, and made believe they are: just upon the brink of those dangers wiser people cannot for their lives see. And I would fain know, whether all people are not more sensible, and better Judges of such Arbitrary proceedings, as are complain'd of in the Declaration, than of I know not what imaginary necessities of State; which those that sit at the Helm cannot discern: when indeed, the only real thing design'd by their clamorous Petitions, is an opportunity of bringing their ends about, under the plausible pretence of redressing Grievances which no body feel, or suffer under; for there never was a time when we had more Riches, or wherein Trade was more encouraged, or flourished more than it doth now. And to make the House of Commons the only Judges of what they do, is in plain English, to give them a right to do what they please; and yet this Gentleman is so kind, as to bestow so great a Prerogative upon 'em, when at the same time he makes them too, Judges of all the Actions of the King, without allowing Him the least capacity to give his sense of what they do; thereby levelling Him with the meanest of his Subjects. And truly so many ill things this Gentleman has said of Addressees and Addressers, that it would almost have been impossible to have thought of them, if the Nature and Tendency of Petitions, the Artifices and Designs of the Petitioners, had not serv'd

serv'd him with an Original to draw so bad a Copy from; which he has it seems Malice and Impudence enough to fix upon those that cannot pretend in the least to merit it.

But besides all this, he would fain perswade us it is unlawful to Address: but I fear upon due examination it will be found, that the Addressers have a great deal more Law on their side, than the Petitioners can have any just pretence to; nor will it serve his turn to tell us, he has the Inns of Court on his party, when all the world knows, Two of the most considerable of the Four have already Addressed His Majesty, and I think without any offence to the gravity of those that have refused in any of them to joyn in so good a work, they have rather been drawn aside by their Passions, or Bias'd by their Interest, since too many of 'em thrive and get Estates by being Factious; than that they were either convinced of the illegality or inconvenience of the thing: And how far the Authority of such men ought to be valued, I leave to any man of sense to judge; besides, that 'tis well known some of the best and most Learned, and what is more, Loyal and Honest Lawyers have been promoters of Addresses: Nor can I see why the Mayor of *Wigan*, &c. should not be able to give their judgment concerning what was Law, and what was not; after the King the sole Judge (as I have proved in the Precedent Discourse) in such doubtful and obscure cases, has been pleas'd to give us his sense and interpretation, which no doubt in such matters is to conclude every good Subject. Nor have they ever in any Address gone beyond these bounds: nor once offer'd to deprive or rob the House of Commons of their least Lawful Priviledge; but only have render'd the King thanks for Asserting the Liberty of
his

his People, and his own Prerogative, which are inseparably interwoven one with the other.

Having thus far examined his freest and most natural thoughts (as he calls them) in General about Addresses, it is time now that we proceed more nearly to inspect and pass our Judgment upon his Reflections, upon the matter of them: And if I mistake not, the presuming to tax his Majesty's Ministers with Illegal or Arbitrary Councils and Designs, is a Reflection of the highest nature, even upon the King himself, and contributes in the tendency of it, to render his Majesty odious and contemptible to his People. For when they have never so critically distinguished between Him and his Ministers, so as to make that a transgression in the latter, which is not so in the first, I humbly conceive it will give but little satisfaction; for a breach of the Law is such, who ever commits it, only the King is exempt from the Punishment, and censure of the Law, as being above it, whilst the Ministers are left expos'd to make expiation for their own, and their Master's faults: but notwithstanding all this, 'tis still a great Reflection upon His Royal Person, though He be unaccountable for any Action of His whatsoever to any body, upon the face of the Earth.

Nor can I conceive how it can be a disloyal and gross insinuation, as if the King had administred some just ground and fear, that he intended to govern Arbitrarily, by giving his Majesty thanks for *Promising to Govern by Law*; since the true reason, that induced them to express their Gratitude, for that gracious Assurance, was, what this Gentleman cannot be ignorant of, *viz.* because some ill Men had endeavoured to misrepresent his Majesties Government, by infusing idle fears and groundless Jealousies, into the Heads of the undiscern-

ing Multitude, as if He had such Designs, as tended to the ravishing from them their just Rights and Liberties, and the introducing of Arbitrary Power, with *Popery* at the heels on't, upon them; for when they found his Majesty so ready and willing, by an almost unparallel'd Piece of Goodness and Condescension, to go about to Undeceive his misled Subjects, and pass His Royal Word, that He was far from any such thoughts, thereby to settle and compose the minds of his People, they thought themselves under all the Obligations of Gratitude and Duty, to return their thanks for so transcendent a Mark of his Royal Favour and Kindness to His Subjects; and upon this ground it was, they thought themselves bound to express their sense of his Goodness, in declaring it to be His unalterable Resolution, to make the Law his Rule: by which, had others, as they ought, guided their Actions and procedure, and not suffer'd themselves to be transported beyond the bound and limits of Justice and Moderation, there would never have been any occasion for this Gentleman to have shown his Parts, or given the World an instance of his great honesty and extraordinary Loyalty.

And though this Gentleman be pleas'd to be very Angry with the Addressers, for seeming to express some satisfaction, at the Dissolution of the two last Parliaments; yet if he were really so great a Lover and Honourer of Parliaments, as he pretends, he would not have had so little discretion and modesty as to blame them so severely for it; since there are a great many wise and moderate Persons, as any in the Nation, that apprehend there were some Men in the Lower-House, that wanted some of that Prudence, Temper and Moderation, which became their stations; and that there
were

were several Votes past, that perhaps could hardly be accounted for, in either Reason or Justice; and they think they have ground to fear, that the Heats in both Parliaments would have hurried them into some Resolutions, that might have been a very high Reflection upon their Proceedings; which yet by a timely Dissolution, to their Honour, and the Peoples satisfaction, were prevented. Besides, since the King has been pleas'd to declare several things illegal and unwarrantable, that have been done in those two Parliaments, I think it the duty of every good Subject to acquiesce in his Royal determination; and if so, I cannot see where the crime lies, in returning thanks to his Majesty, for rescuing his Subjects from what He was pleas'd to declare, was a breach of their Liberty. Nor is it in the least the Kings fault, if when he is surrounded with dangers, that threaten'd him from all Quarters, if the opportunity he put into the hands of his Subjects, were not improved to their advantage and security, the ends for which it was given them; but that instead thereof, by the factious endeavours of some ill-minded Men, the Remedy propos'd was worse than the Disease: for certainly in such a case as this, the World would very easily excuse so good a Prince, and pity Him too, to see Him alone and naked, expose and generously throw himself between his People and the danger, to rescue them from the jaws of that and ruine.

But his most grievous charge is, that they have hereby made the very Being of Parliaments depend wholly upon the Will and Pleasure of the King: Very well! but what if they have? why, truly nothing; for they have thereby done nothing, but what is really true, and very justifiable; for certainly Parliaments must

4 E. 3. c. 14
36 E. 3. c.
10.

needs depend still upon that Power which first gave them their existence, and to whom it is we owe their Original Institution, I think I have sufficiently proved in the foregoing Discourse : that the King has obliged himself to call Parliaments sometimes, I very readily grant, but with the leave of this Learned Gentleman, I humbly conceive not once a Year, for though there be two Statutes made in the time of *Edward III.* for holding of Annual Parliaments, I perswade my self they do not now remain in force, being concluded by that Act of Parliament made 16 *Car. 2. c. 1.* where it is said, that a Parliament shall be holden once in three Years, so that the Law will be satisfied, if there should one meet within that time ; which is so plain and obvious a thing, that I wonder with what modesty or ingenuity this Gentleman could over-look it, and only insist upon those other Statutes of *Edward III.* And as for the Obligation that is pretended to lie upon the King, to let the Sessions of Parliament continue while any businesses are depending, I have said so much to it in the Precedent Letter, that it would be superfluous to repeat the same things over again here : therefore for your satisfaction, I refer you thither, where I have the vanity to believe you will meet with what will give you satisfaction as to that particular.

Nor am I able with the utmost intention to see how, what is found in the Addresses, relating to the Succession, can any way be interpreted as a Desire the Duke of *York* should come to the Crown : but, all it amounts to, according to my apprehension of the thing, is no more than an expression of the readiness of the Addressers to submit themselves to God's Providence, and the Laws of the Land, if the Duke should happen to survive his Majesty ; and a rendring of their humble
thanks

thanks for the firm Resolution the King has made to maintain the Crown in the due and legal course of Descent, to which He is obliged by all the ties of Honour, Justice and Conscience ; and I dare confidently affirm the Addressers to be Persons of greater Loyalty and Love to his present Majesty, (for whose long Life and Reign over us, they incessantly pray) and truer and more sincere Friends to the established Religion, than to wish the least change of either ; though at the same time they own themselves ready to suffer a great many inconveniences, and run as many hazards, rather than be guilty of any thing contrary to either the Laws of God or Man : Nor can they dissemble so much with God Almighty, as with their words to give their Consciences the Lie, in owning that King, Lords and Commons have a Power to dispose of the Succession, when in their hearts they know not of any such thing ; but on the contrary, that both Divine and Humane Laws deny them any such Prerogative ; they know very well, *Id tantum possumus quod de Jure possumus* : nor have they forgot the Golden Precept of the Apostle, *not to do evil that good may come of it*.

The next fault he finds with Addressers is, that they tend to insinuate to the Nation, that we have and enjoy a sufficient security for our Religion, Lives and Liberties, but how unreasonable it is He should quarrel with them for this, every Man may very easily judge : for though it be true, what four Parliaments have represented and declared, that there are manifold, and those very great dangers, by which we and all that is dear to us, are threatned and encompassed ; yet is it not through the defect of our Laws, but Humane Nature, for it is impossible by all the Laws in the World, either to prevent Plots and Conspiracies against the Govern-

Government, or discover them when commenced; 'tis only the Providence of God Almighty, and the Vigilance of those that sit at the Helm, can bring such works of darkness to light: so that next to a Reliance upon the Care and Goodness of Heaven, I doubt not but we may very truly affirm, that His Majesties promise in His late Gracious Declaration, "OF adhering to the Laws of the Land, and making Them the Rule of His Government; is not only sufficient to allay all mens fears and jealousies, remove the misunderstandings of all well-meaning and reasonable People, and give us all possible assurance of enjoying the greatest Liberty and best Religion that any People in the world have: But that no greater Security can be had or hoped for, in order to the enjoying our Religion, Liberties, and Properties, than His Majesties Royal word to Govern by the Laws. So that to pretend the insufficiency of our Laws to protect us, as far as Laws are capable of it, is only meer Cant, on purpose to abuse the People; for in such cases in which only we need apprehend danger, 'tis not Civil Provisions can be any defence to us; next to God we must rely upon our own foresight and diligence, and at length our Swords, for our defence, where the rest fail us.

But to proceed, this Gentleman, *Sett. 17.* seems wonderfully concern'd at the reviving of the memory of the late unhappy troubles, which, says he, *it is the Interest of His Majesty and the whole Kingdom to have buried in perpetual oblivion:* and truly I should very readily agree with him, if the Principles which actuated men then, could be forgotten too; but alas! as long as these remain, it is necessary to put the people in mind of the Methods and Artifices whereby they were once juggled into

into a Rebellion, and to revive the memory of the dismal and deplorable effects and consequences of so wicked and unnatural a War; that they may now keep a very strict guard upon themselves, that they be not drawn into the same Practices again by those methods, and such like men as decoy'd them before into slavery and ruine, by the specious pretences of Reformation and Liberty: for since the Scripture has told us that *Rebellion* is as the sin of *Witchcraft*, it is certainly necessary to make use of all the countercharms in the world, to hinder it from having its usual effects. And tho' most of the Actors in the late troubles be dead, yet if they have transmitted their Principles and violent hatred to Monarchy to their Posterity, there is still the same reason for the Government to have a watchful eye over all their Actions; and if 81, seem to be the very counterpart of 41. I think it is no crime to tell men whether the same Practices, notwithstanding they were at first veil'd under the most specious and plausible pretences, did at length hurry them; in Charity we will believe farther than ever they design'd at first: but when men have done one wickedness, which has put them out of hopes of a Pardon, and made them liable to the severity and lash of the Law; they lay under a kind of necessity of doing something worse to justify that. And certainly if History ought to inform us how we are to guide our selves in such and such cases and emergencies as may happen like to those we read of, I think it is a great piece of injustice to go about to rob us of so great Piece of Instruction, by endeavouring to blot so remarkable a transaction out of the Records of time, whereby we shall be at a loss for an Information how to steer our selves, if ever the like juncture of affairs happen again; and assuredly he must mistake the meaning

ing of the *Act of Oblivion*, that thinks we are tied up by the Equity of it; nor to tell the People of the dangerous consequence of their Actions; if they happen to be the very same which proved the Prologue to the late Rebellion; for in this case 'tis impossible for those that love either their King, their Country, or themselves, to forbear the odious comparison, and those that imagine themselves concern'd, must pardon them for it, since the miseries and devastations occasion'd by such means, cannot but be fresh in their memories; for 'tis not in the power of an *Act of Oblivion* to blot out of their Remembrance the barbarous and detestable Murder of the Best of Princes, and perhaps the best of men; and the slavery of their Country, with all the mournful Train of Calamities that attended them; nor can they reasonably then be blamed, for being so solicitous lest they should once more feel those insupportable miseries. But on the contrary, for men to endeavour to stop peoples mouths from mentioning the Artifices and Tricks that juggled us into the late Rebellion, looks as if they were designing to play the old game again, and were touched to the quick, to see their cheats discovered, and their plausible pretences have their Vizard taken off.

.. Sect. 18. This Gentleman is pleas'd to write an Apology for the Non-Conformists, but after such a rate as would make one believe he had a mind to ridicule them; for he can never hope to perswade men in their right senses that the Religion of the Dissenters is That established by Law, and yet he blushes not to attempt so serious a piece of folly. But after all I am afraid notwithstanding the Zeal he pretends for the Protestant Religion, he would prove, were he known, (to use his

his own words) *the Disgrace and Reproach of any Religion which he should take upon him to profess.* Nor doth He deserve any softer character that allows the Sacred Scripture no greater obligation and authority than the Law of the Land gives it, and that He does no more, I think is clear, if I understand sense from this passage, Pag. 30. *So from the Authority which the Scripture hath allowed unto it by the Law of this Land, and by the consonancy of their Doctrine to the Establish'd Articles of Faith, they humbly conceive that they have the countenance and warranty of the Law for their Religion.* And one would have thought that it would have been but reasonable the Apologist should have first made himself a Christian, before he undertook the Defence of the Non-Conformists, lest it should give captious men an occasion of doubting whether the Religion of those *Godly men*, may not tend much to the advancement of the *Kingdom of Darknes*, of which there is shew'd suspicion, this Gentleman Apologist is a true and faithful subject. But however let us hear what he can say for them; and first, he tells us the Addressers, and not they, have endeavour'd to promote our Divisions, and keep up our Differences, than which nothing can more gratifie our common enemy the Papists. But under favour, I would fain know, who contribute most to such a design, those that desire we may be united in one mind, and one Faith; or those that would establish our Schisms by Law, propagate them to Posterity, and perpetuate them for ever. For let men call it Union, or what they please, yet 'tis impossible to alter the Nature of things, Schism will be Schism, say they what they will: and truly I think it ought seriously to be considered, how that which was thought by our wise and subtle Adversaries, but Eight or Nine years ago, the only way to promote their Interest and our Ruine;

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should now, all on the sudden, be thought to be the only Defence and Security of the Protestant Religion; in my poor opinion, the ground this persuasion has of late gain'd, can be ascrib'd to nothing else, but that the subtle Jesuit has transformed himself into the shape of a Dissenting Brother, and so infused this principle into the heads of that Party, thereby to bring about their own designs, by Plowing with the *Heifer* of the *True Protestants*, as they (to the scandal of the name) delight to call themselves: and in the next place, we are inform'd by him of the great worth and self-denial of those *Holy men*, and their not coveting Ecclesiastical Preferments or Parochial Maintenance, which 'twould be very strange if they should long after, since their worldly condition is much preferable to that of many a Bishop. And in this place too, he offers at something in defence of the Principles of the Dissenting Brethren; but pursues it very faintly, like one that was conscious how ill it would bear an Apology.

But as if all this we have hitherto met with, were not enough to blast the credit of our Author, and to expose his weakness and folly; there is something yet further, and which is infinitely more pernicious, that he pursues and aims at, namely, the fixing a scandal and aspersions upon the Addressers for expressing their fears of a Design carried on by those that have the Impudence to call themselves Protestants, against the King and Government: the belief of which he so furiously and concern'dly endeavours to stifle, that, that alone were enough almost to create a suspicion that there is really some such thing: And if this Gentleman were not conscious of his engagements in such a Design, he need not be so very angry at the Prophetick fears of the Addressers; since time has proved they were not mistaken

in their Divination; for every one knows there is such a Hellish Contrivance Sworn against several persons of that persuasion whom he so zealously stickles for: not that I believe the whole Party concern'd in such a damnable Plot; but 'tis likely enough, a great many may have designedly embarked in it, & a great many more unwary and heedless persons, whom before the rest had infected with ill Principles, may, by the clamour and noise of Popery and Arbitrary Government, have been unfortunately drawn in, whilst the Active, Designing, Ambitious Demagogues have not been wanting to ply them with plausible pretences to justify such an undertaking: And I am sure, whoever considers the nature of *Fitz-Harris's* dying words, and the Evidence Sworn against some Persons in the Tower, for being engaged in that black design, will scarce find reason to suspect the Truth of it: For first, Ambitious, Restless and discontented men will endeavour to gratify their appetite, malice and revenge, be they of what Religion they will: It shall not be in the power of any thing though never so Holy, Sacred and Peaceable, to alter their Resolution; and though they cover their wicked contrivances under the mask of Religion, yet are not their practices presently to be charged upon the Principles of that Religion they pretend to profess: for at that rate all Religion would grow detestable; since there have been Villains, and of the first size too, of all the Sects under Heaven, and they such many times as have acted what they did, out of an overviolent and mistaken zeal. But in the next place, 'tis a thing beyond all dispute, that there are some men among us, that profess a Religion that gives as great Liberty to them, as any man has that lives in the *Romish* Communion. Nay, the very same damnable and destructive

Tenets are maintain'd by both Parties; so that how ever they may differ in name, I am sure they agree exactly in the substance; nor is there any thing so ill which the Jesuits have broach'd, that is not by the other party maintain'd publicly in Print; Rebelling against Princes; absolving their Subjects from their Allegiance; Deposing and Murdering Kings are not held more publicly, wickedly, and obstinately by *Suarez*, *Mariana*, and the rest of that Crew; than by *Knox*, *Buchanan*, *Marshall*, *Param*, &c. *Milton*, and such like profligate wretches; nor have the latter wanted publick countenance any more than the former: so that it being plain that such Principles have been espous'd by both Factions, and those so drawn into practice on either side, I cannot see why we ought not to be as apprehensive of the designs of the one, as the other, since both have the same impulses and incitements to be wicked as the other. Not that I would accuse the whole Fanatick party with this Damnable Doctrine: For I know there are thousands of'em that do abhor any such Positions and Practices from their very Souls; but I am as sure there are some on the other hand that are equally intolerable in the Government with a Papist; I mean such as refuse to take either the Oath of Allegiance or Supremacy, and of these there are not a few; for let them place the Supremacy where they will, whether they believe it to be in the Kirk, or in the Pope, it still amounts to this, that they owe them an obedience before their Natural Prince, and so are subject to a distinct and Superiour Jurisdiction: Nay, in this they are even worse than the Jesuits themselves, I mean in that they refuse to take the Oath of Allegiance, which the other never scruple to do: Nor will they be able to acquit themselves

Selves of this charge, by saying that they have of late taken up Soberer Principles, since the same excuse will be equally serviceable to the Papists as to them; and indeed if that were admitted, we should never be able to prove that any body acted their wicked contrivances out of Principle, which yet 'tis evident beyond contradiction, that too many do, to the scandal even of Christianity it self. But says our Author, *it is from Page 34.*
Papists that weak and credulous people have taken the scent of a Presbyterian Plot. A very likely thing indeed, as if the carriage of those that are known by the name of Fanaticks, had been so blameless, as to give no suspicion of any design carrying on by them; I am sure whoever would take the pains to trace 'em from the Return of the King to the present time, would find great reason to entertain but a very slender opinion of their Loyalty; and whoever considers their late carriage since the happy Discovery of the *Damnable Popish Plot*, cannot but be convinced, that some of the leading men were glad to have met with so fair an opportunity, and were resolved to improve it to the utmost advantage, that under the coverture of running down a True Popish Plot, they might bring about the same designs they had once carry'd on under the pretence of an imaginary one; so that upon the whole matter, I think the Addressers had a great deal of reason to
 " ascribe it to His Majesties Wisdom, and Sovereign
 " Authority, that we are not relapsing into the mis-
 " series and confusions of Tyranny and Usurpation,
 " by the subtle Artifice, and cunning contrivances of
 " the old enemies of the Monarchy and the Church,
 " who by the insinuations of Religion, Liberty and
 " Property, prevail upon weak and unwary men to
 " make them subservient to their Factious and Am-
 " bitious.

ambitious designs: but 'tis to be hoped a little time will so far open the eyes of the King's loyal Subjects, as to let them see, how grossly they have been imposed upon, by these kind of Men, who ~~came out of~~ ^{came out of} ~~from~~ ^{from} ~~their~~ ^{their} ~~old~~ ^{old} ~~belov'd~~ ^{belov'd} ~~Commune~~ ^{Commune} ~~and~~ ^{and} ~~Principles~~ ^{Principles}, and some out of anger at their being disappointed in the particular Designs they had for the accomplishment of their own Ambition and Greatness, have laboured to poison the People in their Allegiance, and infuse bad Principles into them, to the disturbance of the Peace, and the interruption of that repose we have so long enjoy'd under the conduct and influence of our Good and Gracious Prince.

In the 20. Sect. he endeavours to fasten a vile charge upon the Addressees, whom, the better to gain credit to what he says, he is pleas'd to stile all along Papists, Popishly affected, and Men of Arbitrary Principles, for telling his Majesty, with what ~~insupportable~~ ^{insupportable} ~~and~~ ^{and} ~~Con-~~ ^{Con-} ~~descension~~ ^{descension}. He did submit to hear unreasonable jealousies promoted, illegal confes and proceedings vindicated, and all the most benign Indulgences of his Goodness misrepresented; and for declaring, That they cannot but admire his Majesties Transcendent and Sacred Wisdom, which in that dangerous and confused Juncture did so satisfactorily interpose, and so calmly suppress the threatening Flames which were breaking forth, &c. Nay, he looks upon their crime so great, that he knows not by what Name to call it; and truly, if so, I am afraid he will find no punishment by Law assign'd for it; nor can it any way deserve it, since what they say, seems not so much a charge against the two late Houses of Commons, as an expression of their sense of his Majesties most inimitable Goodness and Patience in submitting for so long a time as He did, to endure and hear such things, as to
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him, in his Royal Judgment, seem'd so contrary to Justice, Equity, Reason, and the Law of the Land, which is not the smallest Argument of his Majesty's Sincerity, when he assured his People, *That no Irregularities in Parliaments should ever make Him out of Love with Parliaments*: And upon this account, I think it was, and is but the Duty of every Good Subject to express their Gratitude to the King, in the publickest manner they can; and whereas this Gentleman seems very much troubled, that any one should speak a little disrespectively (as he thinks) of one part of the Legislative Authority, as a thing that his Majesty ought to see Redressed, as He would support his Tottering Throne, if He had considered that the House of Commons are not sharers in the Sovereignty to any Intent and purpose, as I have before proved in the Precedent Discourse, and that 'tis possible they may be guilty of very great and fatal Errors; he would never have betray'd his Ignorance and Partiality at that rate he has done, in justifying their late Proceedings after such a manner, as will serve for a Defence, let them do things never so illegal, arbitrary and enormous: for indeed to stop People's mouths, after the King has determin'd the Legality and Illegality of their Actions, is in plain *English* to give them a Power of doing what they please, without controul; besides, those that are concern'd to hear Men speak their minds freely about the late Parliaments, ought to remember how civilly they daily treat the last Long Parliament, and whether there passes a day without their Scandalous Reflections upon the King, and the Government, and then let him that is without fault, *throw the first stone at the Addressers*: For certainly, 'tis a most intolerable piece of Injustice to blame or punish others for that they are guilty of themselves,

selves, especially considering these have the King's Authority and Judgment on their side, which the other want.

But to come to that, which this Gentleman seems most of all concern'd at, *Self. 21. viz.* the tender of their Lives and Fortunes, made by the Addressers to his Majesty, and their firm Resolution to stand by Him, in the Defence of his Royal Person, Crown and Government, and Lawful Successors; says he, *by reading the Addresses, one would be inclin'd to think, that these Men construe the King's Declaration, as the Erection of the Royal Standard; and that they intend these Papers for the Muster-Rolls of those that are to fight under His Majesty's Ensigns: Be it how it will, I dare say, He is heartily sorry to see them amount to so large a Number, for before this, his Party had flatter'd themselves with the vain hopes of carrying every thing without opposition; but now they have seen a List of so many Brave and Worthy Men, resolv'd to defend His Majesty to the last drop of their Bloud, they begin to be a little startled at the hazard they are to run, and the Dangers they must encounter in the Prosecution of their Designs, if ever they should have Courage and Wickedness enough to attempt the Execution of them: But with his favour, neither is the King's Declaration a setting up of the Standard-Royal, for every Body being sensible the King was surrounded with dangers, both at home and abroad; Is it not the duty of every Subject to be ready to spend his Bloud and Estates in his Defence? Ought not every Man to be an enemy to the King's enemies? And must it then be a fault to declare themselves so, and give His Majesty all the assurance they can of their Duty and Loyalty, and readiness to sacrifice themselves for his Service? certainly these*
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Men forget; how short a time it is, since they in their Addresses to their newly chosen Members, made such promises of standing by 'em with their Lives and Fortunes, in the procuring of the things named therein, as were within a hair's breadth of Treason, when they have the confidence to quarrel with the Addressers, for that which is the Duty of all good Subjects; viz. their resolution to die in Defence of his Majesty's Person, his Crown and Dignity, in case any attempt should be made against them, by any Person whatsoever. But this Gentleman can tell 'em, it was very unreasonable to say so, upon a bare supposal, *while we are in, and to the apprehensions of all sober Persons, likely to continue in perfect Peace*: And is it so, that we are out of all danger, and apprehension of intestine Commotion, or Foreign Invasion? Good Sir, then what's the reason, that You and Your Party are so very busie, to perswade People, they are just ready to be swallow'd up in ruine; and frighten them, with the fear of being made an immediate Prey, either to the bloody *Papists* at home, the cruel *French* abroad, or both? What, is there no design a carrying on to murder the King, and Massacre the true Protestants? For shame do not now at last, after it has done you so many signal kindnesses, prove ungrateful to the Plot, you once loved so well, and turn it all into Sham; surely you won't offer so great an affront to the King's Evidence, you once revered so much: or else, speak plain, and tell us, That there shall be, or not be, a Plot carry'd on by the restless and malicious *Papists*, according as it makes for, or against your Interest and Designs; that to day it shall be next door to High-Treason to discredit the least tittle that has been sworn concerning it, and to morrow it shall be Felony at least to believe there is

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any such thing. — *visum tenearis amici?* certainly nothing in Nature or Story, as one says, can be more ridiculous than the management of this Plot.

But by this time our Authors Brains begin to turn round, and make him talk idly; for after the glorious conquest he fancies he has made of both Addressees and Addressers, he is resolved to give no quarter, but to kill 'em all out-right; in order to which, having told them what a company of sawey impudent Fellows they are, to pretend to meddle with, or understand the State of the Kingdom; he then stabs them to the heart, with the killing assurance of Petitions, that shall open the eyes of all that shall survive this fatal blow; or have not at the very thoughts of it found it convenient to hang themselves out of the way, that they may not live to see their ignorance exposed: For alas poor souls! they cannot tell whether they have lived happily and peaceably, nor whether Riches have encreas'd, or Trade been encourag'd and improved under His Majesties Administration of the Publick; Nö not they: 'Tis your quick-sighted Petitioner only that ought to be credited, who can spy out a danger that never was, nor ever will be within the ken of those at Helm; 'tis they only that ought to Advise and Instruct the King, how to Govern His Kingdom; 'tis they that ought to counsel His Counsellors, and Teach His Senators Wisdom: For you must know these State-Mountebanks are as expert in Politicks as if they had serv'd an Apprenticeship to Old Nic.—

And here I might take occasion to shew the Usefulness and Necessity of Addressees, and prove the great incon-

inconvenience, and Sawcy boldness of Petitions; but that being a thing so easie and obvious to every unprejudiced person, and having been so tedious already, I shall forbear to give my Reader any further trouble: not doubting but my well-meaning, tho' weak endeavours in my King and Country's Service, will find acceptance amongst honest, moderate and indifferent men. And as for the rest, who possibly may so far be engaged in the opposite party, that they may be averse to a Conviction of their Errors; I neither fear their Censures, nor court their Favours; but leave them to surfeit themselves with that Felicity which they apprehend to be the Liberty of the Subject, in these Licentious times, *in quibus unicuique sentire quae Tacit. Hist. velit, & quae sentiat eloqui licet*; in which every man ^{*i. e. is pro-*} may think what he pleaseth, and speak what he ^{*amio.*} thinketh.

F I N I S.
